

JOURNAL
OF THE
House of Representatives
OF
STATE OF ALABAMA
REGULAR SESSION OF 1961

HELD IN THE CITY OF MONTGOMERY
COMMENCING TUESDAY, MAY 2, 1961



VOL. II
WITH AN INDEX PREPARED BY THE
CLERK OF THE HOUSE

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State of Alabama

JOURNAL
OF THE
HOUSE OF REPRESENTATIVES
OF THE
STATE OF ALABAMA
REGULAR SESSION OF 1961

NINETEENTH DAY

House of Representatives
Montgomery, Alabama
Friday, July 14, 1961

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Dr. H. Eugene Peacock, Pastor, Dexter Avenue Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Brewer	Cornett	Glass
Adams	Britton	Daniel	Goldthwaite
Albea	Broadfoot	Dickson	Goodwyn
Avery	Brooks	Dodd	Gordon
Bailey	Cabiness	Dunn	Grant
Barnett	Callahan	Edwards	Gross
Bassett	Camp	Engel	Grouby
Bevill	Casey	Faulk	Guthrie
Bishop	Cates	Ferguson	Hain
Boyd	Chambers	Franklin	Hanby
Brannan	Cook	Gilchrist	Hankins
Branyon	Copeland	Gilmer	Hardy

Harris	McClendon (Chambers)	Pierce	Shumate
Harvey	McCorquodale	Powell	Smith (Russell)
Hawkins	McLendon (Bullock)	Pruitt	Smith (St. Clair)
Hearn	Martin	Ramey	Solomon
Ingram	Meade	Rast	Speaks
Jenkins	Merrill	Ray	Steagall
Johnson (Hardaway)	Morrow	Reynolds (Chambers)	Sullivan
Johnson (J. T. Tom)	Murphy	Reynolds (Madison)	Taylor
Johnston (Leonard)	Nettles	Roberts	Thomas
Jones (Covington)	Nichols	Rogers	Torbert
Jones (Monroe)	Oakley	Rozelle	Trimmier
Lee	Oden	Salter	Turner
Locke	Owens	Self	Turnham
Long (Lauderdale)	Perry	Sessions	Vickers
Long (Perry)	Phillips		

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A quorum was present.

COMMITTEE APPOINTMENT ANNOUNCED

Pursuant to the provisions of House Joint Resolution No. 39, the Speaker announced the appointment of Messrs. Jones (Covington), Avery and Ramey as a committee on the part of the House.

SUPREME COURT ADVISORY OPINION

OFFICE OF CLERK OF THE SUPREME COURT STATE OF ALABAMA MONTGOMERY

July 13, 1961

J. Render Thomas
Clerk

Hon. Oakley Melton, Jr., Clerk
Alabama House of Representatives
CAPITOL

Dear Sir:

I enclose you herewith two (2) certified copies of the opinions of the Justices of the Supreme Court in answer to House Resolution No. 49 as to the constitutionality of House Bill No. 902.

I am,

Yours truly,

/s/ J. Render Thomas
J. Render Thomas, Clerk
Supreme Court of Alabama

JRT/p
Encls. (2)

THE STATE OF ALABAMA — JUDICIAL DEPARTMENT
THE SUPREME COURT OF ALABAMA

SPECIAL TERM, 1961

To the House of Representatives
CAPITOL
Montgomery, Alabama

Dear Sirs:

Your Resolution No. 49 directs our attention to the question of whether House Bill No. 902 now pending in the legislature is in conflict with Article 4, § 65 of the Constitution of Alabama, which reads as follows:

“The legislature shall have no power to authorize lotteries or gift enterprises for any purposes, and shall pass laws to prohibit the sale in this state of lottery or gift enterprise tickets, or tickets in any scheme in the nature of a lottery; an all acts, or parts of acts heretofore passed by the legislature of this state, authorizing a lottery or lotteries, and all acts amendatory thereof, or supplemental thereto, are hereby avoided.”

Livingston, C. J., Lawson, J., and Simpson, J. answer your inquiry in the negative as shown in the opinion of Lawson, J. and Livingston, C. J. in 249 Ala. page 516, 31 So. (2nd) 753.

Respectfully,

J. ED LIVINGSTON
J. Ed Livingston, Chief Justice

THOMAS S. LAWSON
Thomas S. Lawson, Associate Justice

ROBERT T. SIMPSON
Robert T. Simpson, Associate Justice

Stakely, Merrill and Coleman, J. J., answer in the affirmative in accordance with the opinions in 249 Ala., page 516, 31 So. (2nd) 753 of Gardner, C. J., Brown, Foster and Stakely, J. J.

Respectfully,

DAVIS F. STAKELY
Davis F. Stakely, Associate Justice

PELHAM J. MERRILL
Pelham J. Merrill, Associate Justice

JAMES S. COLEMAN
James S. Coleman, Jr.,
Associate Justice

Goodwyn, J. expresses his opinion as follows:

House Bill No. 902 contains the following provisions with respect to wagering on dog races, viz:

"Section 14. The commission shall make rules governing, permitting and regulating the wagering on dog races under the form of mutuel wagering by patrons known as 'Pari-Mutuel Wagering,' which method shall be legal to the extent that, and so long as, the same is carried on and conducted strictly in conformity with this Act, and not otherwise. * * * All other forms of wagering on the result of dog races shall continue to be illegal, * * *."

These must be the provisions to which the inquiry is directed. But no details are given as to what is embraced in "the form of mutuel wagering * * * known as 'Pari-Mutuel Wagering.'" Without such details being in the Bill or otherwise properly brought before us, and in the absence of facts disclosing the operations of such form of wagering under rules made by the proposed racing commission, and in the absence of facts showing the incidents of dog racing, it seems to me that an expression of opinion on the constitutionality of the Bill, at this time, necessarily would be based on surmise and conjecture. It is my view that such opinion, although advisory only, should not be based on surmise or conjecture as to factual details bearing on the constitutional question. Accordingly, I do not think it would be appropriate to respond to your inquiry.

Respectfully,

JOHN L. GOODWYN

John L. Goodwyn, Associate Justice

JULY 13, 1961

THE STATE OF ALABAMA—JUDICIAL DEPARTMENT
THE SUPREME COURT OF ALABAMA

SPECIAL TERM 1961

THE STATE OF ALABAMA
CITY AND COUNTY OF MONTGOMERY

I, J. Render Thomas, Clerk of the Supreme Court of Alabama, do hereby certify that the foregoing pages numbered from one to three, inclusive, contain a full, true and correct copy of the opinions of the Justices of the Supreme Court of Alabama rendered on July 13, 1961, by said Justices of the Supreme Court of Alabama in response and answer to House Resolution No. 49 requesting an advisory opinion as provided by Title 13, Section 34, Code of 1940, involving constitutional questions presented by House Bill No. 902, as the same appears and remains on record on file in this office.

WITNESS, J. Render Thomas, Clerk of the Supreme Court of Alabama,
this the 13th day of July, 1961.

S/ J. Render Thomas

Clerk of the Supreme Court of Alabama.

SUPREME COURT ADVISORY OPINION

Received, read and inserted in the Journal.

SPECIAL ORDER

The House proceeded to the consideration of the special order.

And the bill:

H. 40. To establish a Permanent Joint Legislative Committee to study, investigate, subpoena, analyze, and interrogate the activities of persons, groups, and organizations who seek to destroy the ideals of the citizens of the State of Alabama under the color of protection afforded by the Bill of Rights for the Constitution of the United States and the Constitution of the State of Alabama.

As amended, was again taken up.

On motion of Mr. Hawkins, further consideration of the bill, H. 40, as amended, was temporarily postponed.

And the bill:

H. 635. To amend Section 18 of Title 19 of the Code of Alabama 1940, as heretofore amended, relating to the condemnation of land for public purposes and the procedure to be followed in such proceedings.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Dickson	Jenkins	Pruitt
Adams	Dodd	Johnson (Hardaway)	Ramey
Albea	Dunn	Johnson (J. T. Tom)	Rast
Avery	Engel	Johnston (Leonard)	Ray
Bailey	Faulk	Jones (Covington)	Reynolds (Chambers)
Barnett	Ferguson	Jones (Monroe)	Reynolds (Madison)
Bassett	Gilchrist	Lee	Rogers
Bevill	Gilmer	Locke	Rozelle
Bishop	Glass	Long (Perry)	Salter
Boyd	Goldthwaite	McClendon (Chambers)	Self
Brannan	Goodwyn	McCorquodale	Sessions
Branyon	Gordon	McLendon (Bullock)	Shumate
Brewer	Grant	Martin	Smith (Russell)
Britton	Gross	Merrill	Smith (St. Clair)
Brooks	Grouby	Morrow	Solomon
Cabiness	Guthrie	Murphy	Speaks
Callahan	Hain	Nettles	Steagall
Camp	Hanby	Nichols	Sullivan
Casey	Hankins	Oakley	Taylor
Chambers	Hardy	Oden	Thomas
Cook	Harris	Owens	Torbert
Copeland	Harvey	Phillips	Trimmier
Cornett	Hearn	Pierce	Turner
Daniel	Ingram	Powell	Turnham

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CONSIDERATION OF H. 40 RESUMED

H. 40. To establish a Permanent Joint Legislative Committee to study, investigate, subpoena, analyze, and interrogate the activities of persons,

groups, and organizations who seek to destroy the ideals of the citizens of the State of Alabama under the color of protection afforded by the Bill of Rights for the Constitution of the United States and the Constitution of the State of Alabama.

As amended, was again taken up.

Mr. Hawkins offered the following amendment to the bill, H. 40, as amended:

AMENDMENT TO H. B. 40 AS AMENDED BY THE SUBSTITUTE

Strike out all of the bill following the enactment clause and insert in lieu thereof the following:

Section 1. There is hereby created a special committee of the Legislature to be composed of seven members, three of whom shall be appointed from the membership of the state senate by the president of the senate, and four of whom shall be appointed from the membership of the house of representatives by the speaker. The members of the committee shall serve as such until discharged by the president of the senate and the speaker of the house of representatives upon receipt of their report at the Regular Session of the Legislature in 1963. The committee shall elect a chairman and vice chairman from among their own number. The members of the committee shall receive no pay, but may be reimbursed their actual out of pocket expenses for travel to any meetings of the committee, upon submission of claims and proof for the same satisfactory to the committee.

Section 2. It shall be the duty of the committee to make as complete an investigation as time permits of all persons, groups of persons, and organizations who seek illegally the overthrow or destruction of the government of the State of Alabama or the subjection of the citizens of Alabama to the authority of foreign states, governments, or peoples. Such investigation shall be conducted with the purpose in view of reporting to the Legislature the activities of such persons, groups of persons, or organizations to the end that corrective legislation may be adopted if found necessary to correct any abuses against the peace and dignity of the State of Alabama. The committee may contact and deal with such agencies and bodies, public or private, as it may consider necessary to effectuate its purpose. And the committee shall cooperate with all law enforcement agencies in investigating any matter within the scope of this Act.

Section 3. The committee may employ and fix the compensation of a secretary, and such investigators, experts, other clerical and technical assistants as it may consider necessary to the performance of its duties. Every department, commission, board, agency, officer, and employee of the State of Alabama or any political subdivision thereof shall furnish the committee, upon its request, any information, records, and documents that the committee considers necessary for its examination or scrutiny. The committee may hold hearings at any place within the State of Alabama which may be agreeable to it, and such meetings may be open to the public or closed sessions, as the committee determines appropriate.

Section 4. The committee may require by subpoena the attendance of witnesses and the production of papers, books and documents, and take such testimony as may be relevant and material to any issue within the scope of

its inquiry. Should any witness fail to respond to the lawful subpoena of the committee, or having responded fails to answer all lawful inquiries or turn over evidence to the committee, the committee may file a petition in the circuit court of the county where it is then sitting showing such failure on the part of the witness, in which case the court shall take jurisdiction of the witness and the subject matter of the petition and shall direct the witness to respond to all lawful questions and to produce all documentary evidence in his possession which is lawfully demanded. The failure of any witness to respond pursuant to the order of the court shall constitute a direct contempt of court and the court shall punish the witness accordingly.

Section 5. Witnesses subpoenaed by the committee need not be sworn, but shall give their testimony under the penalty of being adjudged guilty of contempt and punished in the circuit court if they testify falsely. Or, the committee may administer oaths to witnesses subpoenaed, and any witness who testifies falsely under oath shall be guilty of perjury and upon conviction shall be punished as prescribed by law. The committee shall not refuse to a party summoned before it the aid of counsel.

Section 6. The sum of \$2,500 is hereby appropriated from any funds in the state treasury not otherwise appropriated for use of the committee to pay expenses incurred during the fiscal year ending September 30, 1961. There is also appropriated from any funds in the state treasury not otherwise appropriated, for the fiscal year ending September 30, 1962, the sum of \$37,500. These appropriations may be spent only under the direction of the committee.

Section 7. The committee shall report to the 1963 Regular Session of the Legislature the results of its investigation, together with its recommendations, if any, for necessary legislation; and upon the filing of such report, the committee shall be discharged.

Section 8. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 9. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

On motion of Mr. Hawkins the motion of Mr. Gilchrist to postpone further consideration of the bill, H. 40, as amended, and pending amendment until the next legislative day was laid upon the table.

Yeas 75; Nays 25.

Yeas:

Mr. Speaker	Cabiness	Faulk	Hain
Adams	Camp	Ferguson	Hankins
Avery	Cates	Franklin	Hardy
Barnett	Chambers	Gilmer	Harvey
Bassett	Cornett	Glass	Hawkins
Bevill	Daniel	Goldthwaite	Hearn
Boyd	Dickson	Gordon	Ingram
Brannan	Dodd	Grant	Jenkins
Britton	Dunn	Gross	Johnson (J. T. Tom)
Brooks	Edwards	Guthrie	Jones (Covington)

Lee	Nettles	Ramey	Speaks
Locke	Nichols	Rast	Sullivan
Long (Perry)	Oakley	Reynolds (Chambers)	Taylor
McClendon (Chambers)	Owens	Rogers	Thomas
McCorquodale	Perry	Rozelle	Torbert
McLendon (Bullock)	Phillips	Sessions	Trimmier
Martin	Pierce	Smith (Russell)	Turner
Merrill	Powell	Smith (St. Clair)	Vickers
Morrow	Pruitt	Solomon	

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Nays:

Messrs.	Callahan	Grouby	Oden
Albea	Casey	Hanby	Ray
Bailey	Cook	Harris	Reynolds (Madison)
Bishop	Copeland	Johnson (Hardaway)	Roberts
Branyon	Engel	Johnston (Leonard)	Self
Brewer	Gilchrist	Murphy	Steagall
Broadfoot	Goodwyn		

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MOTION TO SUSPEND RULES LOST

The motion of Mr. Callahan to suspend the rules in order to allow the Standing Committees to report out of order was lost.

Yeas 41; Nays 50.

Yeas:

Messrs.	Camp	Guthrie	Ray
Albea	Casey	Hanby	Reynolds (Chambers)
Bailey	Cook	Hankins	Reynolds (Madison)
Bishop	Copeland	Harris	Roberts
Brannan	Dodd	Johnson (Hardaway)	Self
Branyon	Ferguson	Johnston (Leonard)	Smith (St. Clair)
Brewer	Gilchrist	Long (Lauderdale)	Speaks
Britton	Goldthwaite	Meade	Steagall
Broadfoot	Goodwyn	Murphy	Sullivan
Cabiness	Grant	Oden	Torbert
Callahan	Grouby		

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Nays:

Mr. Speaker	Faulk	Locke	Pierce
Adams	Franklin	Long (Perry)	Powell
Barnett	Gilmer	McClendon (Chambers)	Pruitt
Bassett	Gordon	McCorquodale	Rast
Bevill	Gross	McLendon (Bullock)	Rogers
Boyd	Hain	Merrill	Rozelle
Brooks	Hardy	Nettles	Salter
Cates	Hawkins	Nichols	Sessions
Cornett	Ingram	Oakley	Smith (Russell)
Daniel	Jenkins	Owens	Thomas
Dickson	Johnson (J. T. Tom)	Perry	Turnham
Dunn	Jones (Covington)	Phillips	Vickers
Edwards	Lee		

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CONSIDERATION OF H. 40 RESUMED

H. 40. To establish a Permanent Joint Legislative Committee to study, investigate, subpoena, analyze, and interrogate the activities of persons, groups, and organizations who seek to destroy the ideals of the citizens of the State of Alabama under the color of protection afforded by the Bill of Rights for the Constitution of the United States and the Constitution of the State of Alabama.

As amended, was again taken up.

The question was upon the adoption of the amendment offered by Mr. Hawkins to the bill, H. 40, as amended, and said amendment was adopted.

Yeas 89; Nays 7.

Yeas:

Mr. Speaker	Dunn	Jenkins	Pierce
Adams	Edwards	Johnson (Hardaway)	Powell
Albea	Faulk	Johnson (J. T. Tom)	Pruitt
Avery	Ferguson	Jones (Covington)	Ramey
Bailey	Franklin	Jones (Monroe)	Rast
Barnett	Gilchrist	Lee	Ray
Bassett	Gilmer	Locke	Reynolds (Chambers)
Bevill	Glass	Long (Perry)	Reynolds (Madison)
Boyd	Goldthwaite	McClendon (Chambers)	Rogers
Brannan	Goodwyn	McCorquodale	Rozelle
Brewer	Gordon	McLendon (Bullock)	Salter
Britton	Grant	Martin	Sessions
Brooks	Gross	Meade	Smith (Russell)
Cabiness	Grouby	Merrill	Smith (St. Clair)
Casey	Hain	Morrow	Solomon
Cates	Hanby	Nettles	Speaks
Chambers	Hankins	Nichols	Steagall
Cook	Hardy	Oakley	Taylor
Copeland	Harvey	Oden	Thomas
Cornett	Hawkins	Owens	Torbert
Daniel	Hearn	Perry	Turnham
Dickson	Ingram	Phillips	Vickers
Dodd			

—89

Nays:

Messrs.	Broadfoot	Camp	Johnston (Leonard)
Branyon	Callahan	Guthrie	Long (Lauderdale)

—7

Mr. Callahan offered the following substitute for the bill, H. 40, as amended:

Substitute for H. B. 40, as amended, by striking the entire Substitute and by inserting in lieu thereof the following.

A BILL
TO BE ENTITLED
AN ACT

To establish and create a joint legislative committee to study and in-

investigate Communistic activities of persons, groups, and organizations who may be engaged in Communistic activities and to provide for the method of the selection of such committee and to provide for the Attorney General of Alabama to be a member of such committee and to provide that the Attorney General be Ex-officio Chairman of such committee and to provide the duties, scope and authority of such committee and to provide safeguards for the protection of any person or group investigated by such committee who may be innocent of any Communistic activities:

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created a Joint Legislative Committee on Communistic activity which committee shall consist of six members, three members to be elected by the House of Representatives from the membership of the House of Representatives and two to be elected by the Senate from the membership of the Senate and the sixth member shall be the Attorney General of Alabama, who shall also be Ex-officio Chairman of the committee and the said committee shall meet only upon the call of the Chairman, however, the Chairman may appoint such individual subcommittees as he may deem expedient.

Section 2. It shall be the duty of this committee to study and investigate all groups and organizations whom it may suspect of engaging in Communistic activities and in so doing the committee may summon witnesses, take and transcribe testimony for the submission to any grand jury having jurisdiction of the parties or groups involved. All deliberations and investigations shall be secret except that any person being investigated may be present if he so desires and be represented by Council and shall be extended all the privileges of cross-examination subject to the rules of evidence prevailing in this state. The said committee shall cooperate and lend its prestige to all law enforcement agencies of this state and shall submit its findings to the proper grand jury as rapidly as possible. The committee shall have the same authority to administer the oath to witness and to subpoena witnesses and the same power of punishment of contempt as the various circuit courts of this state.

It shall be unlawful for any member of the committee or any employee of the committee to divulge any information gained concerning any citizen of this state other than the Grand Jury and it shall be unlawful for any newspaper, radio, or television to publish any activities or findings of the committee until the same have been submitted to the Grand Jury and the Grand Jury has taken any action it sees fit. It shall be the duty of the committee to put forth every effort at its command to prevent the smear of scandalization of the reputation of any citizen who might be innocent of Communistic activities.

No person shall be employed by the committee who is related by blood or marriage to any member of the committee.

Section 3. The committee shall submit its findings and recommendations to the Legislature on the first day of the organizational session of the next Legislature and thereupon, the said committee shall cease to function unless the same is recreated by some future Legislature.

Section 4. The members of the said committee created hereby, other than the Attorney General shall receive the same per diem and expenses that they receive while in attendance upon regular sessions of the Legisla-

ture, however, no member of the committee shall be paid for more than thirty days during the fiscal year 1960-61 and no more than thirty days during the fiscal year 1961-62. The committee may employ such clerical assistants, attorneys, and other aides as to the committee may seem necessary. Nothing herein contained shall prevent any member of the Legislature who is an attorney, from being employed as special Council to the committee.

All witnesses summoned before the committee shall be paid, out of the funds of the committee, the same per diem and mileage as paid to witnesses appearing before the Circuit Courts of this state.

Section 5. There is hereby appropriated the sum of \$2,500.00 for the fiscal year ending September 30, 1961 from any funds in the State Treasury not otherwise appropriated to be used to pay the expenses incurred by the Committee. There is additionally appropriated the sum of \$37,500.00 for the fiscal year ending September 30, 1962, from any funds in the State Treasury not otherwise appropriated.

Section 6. The provisions of this act are severable. If any section or other part thereof is declared to be unconstitutional or invalid, such declaration shall not affect the part which remains.

Section 7. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

On motion of Mr. Hawkins the substitute offered by Mr. Callahan was laid upon the table.

Yeas 58; Nays 37.

Yeas:

Messrs.	Edwards	Lee	Powell
Adams	Faulk	Locke	Pruitt
Albea	Gilmer	Long (Perry)	Rast
Avery	Glass	McClendon (Chambers)	Rogers
Barnett	Gordon	McCorquodale	Rozelle
Bassett	Grant	McLendon (Bullock)	Salter
Boyd	Gross	Meade	Sessions
Brooks	Hain	Merrill	Smith (Russell)
Cabiness	Hardy	Morrow	Solomon
Casey	Harvey	Nettles	Speaks
Cates	Hawkins	Nichols	Taylor
Chambers	Ingram	Oakley	Thomas
Cornett	Jenkins	Owens	Trimmier
Daniel	Johnson (J. T. Tom)	Perry	Turner
Dum	Jones (Covington)	Phillips	

—58

Nays:

Messrs.	Britton	Dodd	Grouby
Bailey	Broadfoot	Engel	Guthrie
Bishop	Callahan	Ferguson	Hanby
Brannan	Camp	Gilchrist	Harris
Branyon	Cook	Goldthwaite	Hearn
Brewer	Copeland	Goodwyn	Johnson (Hardaway)

Johnston (Leonard)	Pierce	Roberts	Steagall
Long (Lauderdale)	Ray	Self	Sullivan
Murphy	Reynolds (Chambers)	Smith (St. Clair)	Vickers
Oden	Reynolds (Madison)		

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MOTION TO ADJOURN LOST

The motion of Mr. Callahan that the House adjourn until Tuesday, July 18, 1961, at twelve o'clock, noon, was lost.

Yeas 27; Nays 72.

Yeas:

Messrs.	Casey	Guthrie	Oden
Albea	Cook	Hanby	Ray
Bishop	Copeland	Hankins	Reynolds (Chambers)
Branyon	Dodd	Harris	Self
Brewer	Gilchrist	Johnson (Hardaway)	Smith (St. Clair)
Broadfoot	Grant	Johnston (Leonard)	Steagall
Callahan	Grouby	Long (Lauderdale)	Sullivan

—27

Nays:

Mr. Speaker	Dunn	Johnson (J. T. Tom)	Pierce
Adams	Edwards	Jones (Covington)	Powell
Avery	Engel	Lee	Pruitt
Bailey	Faulk	Locke	Ramey
Barnett	Ferguson	Long (Perry)	Rast
Bassett	Franklin	McClendon (Chambers)	Roberts
Bevill	Gilmer	McCorquodale	Rogers
Boyd	Goldthwaite	McLendon (Bullock)	Rozelle
Brannan	Goodwyn	Martin	Saltor
Britton	Gordon	Meade	Sessions
Brooks	Gross	Merrill	Shumate
Cabiness	Hain	Morrow	Smith (Russell)
Camp	Hardy	Nettles	Solomon
Cates	Harvey	Nichols	Speaks
Chambers	Hawkins	Oakley	Thomas
Cornett	Hearn	Owens	Trimmier
Daniel	Ingram	Perry	Turner
Dickson	Jenkins	Phillips	Vickers

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CONSIDERATION OF H. 40 RESUMED

H. 40. To establish a Permanent Joint Legislative Committee to study, investigate, subpoena, analyze, and interrogate the activities of persons, groups, and organizations who seek to destroy the ideals of the citizens of the State of Alabama under the color of protection afforded by the Bill of Rights for the Constitution of the United States and the Constitution of the State of Alabama.

As amended, was again taken up.

Mr. Shumate offered the following amendment to the bill, H. 40, as amended:

AMENDMENT TO H. B. 40, AS AMENDED

In section 1, at the end of sentence 1, add the following words, "and the Attorney General as ex-officio member;

Also, at the end of Section 3, add the following sentence, "The said Committee shall elect a vice-chairman from its membership".

And the amendment was adopted.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Dickson	Johnson (Hardaway)	Powell
Adams	Dodd	Johnson (J. T. Tom)	Pruitt
Albea	Dunn	Johnston (Leonard)	Ramey
Avery	Edwards	Jones (Covington)	Rast
Bailey	Engel	Lee	Ray
Barnett	Faulk	Locke	Reynolds (Chambers)
Bassett	Ferguson	Long (Lauderdale)	Reynolds (Madison)
Bevill	Franklin	Long (Perry)	Roberts
Bishop	Gilchrist	McClendon (Chambers)	Rogers
Boyd	Gilmer	McCorquodale	Rozelle
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Callahan	Hanby	Nettles	Solomon
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Cates	Harvey	Oden	Taylor
Chambers	Hawkins	Owens	Thomas
Cook	Hearn	Perry	Trimmier
Cornett	Ingram	Phillips	Turner
Daniel	Jenkins	Pierce	Vickers

—96

Mr. Shumate offered the following amendment to the bill, H. 40, as amended:

Amendment to H. B. 40, as amended

In Section 4, after the second sentence, insert the following sentence:

Provided, that no subpoena shall be issued by the committee except by vote of a majority of the members appointed.

And the amendment was adopted.

Yeas 96; Nays 1.

Yeas:

Mr. Speaker	Daniel	Hearn	Perry
Adams	Dickson	Ingram	Phillips
Albea	Dodd	Jenkins	Pierce
Avery	Dunn	Johnson (Hardaway)	Powell
Bailey	Edwards	Johnson (J. T. Tom)	Pruitt
Barnett	Engel	Johnston (Leonard)	Ramey
Bassett	Faulk	Jones (Covington)	Rast
Bevill	Ferguson	Lee	Ray
Bishop	Franklin	Locke	Reynolds (Chambers)
Boyd	Gilchrist	Long (Lauderdale)	Rogers
Brannan	Gilmer	Long (Perry)	Rozelle
Brewer	Glass	McClendon (Chambers)	Salter
Britton	Goldthwaite	McCorquodale	Self
Broadfoot	Goodwyn	McLendon (Bullock)	Sessions
Brooks	Gordon	Martin	Shumate
Cabiness	Grant	Meade	Smith (Russell)
Callahan	Gross	Merrill	Solomon
Camp	Grouby	Morrow	Speaks
Casey	Hain	Murphy	Steagall
Cates	Hanby	Nettles	Taylor
Chambers	Hankins	Nichols	Thomas
Cook	Hardy	Oakley	Trimmier
Copeland	Harvey	Oden	Turner
Cornett	Hawkins	Owens	Vickers

—96

Nay:

Mr. Guthrie

—1

Mr. Gilchrist offered the following amendment to the bill, H. 40, as amended:

AMENDMENT TO H. B. 40 AS AMENDED

Strike out all of the bill following the enactment clause and insert in lieu thereof the following:

Section 1. There is hereby created a special committee of the Legislature to be composed of seven members, three of whom shall be appointed from the membership of the state senate by the president of the senate, and four of whom shall be appointed from the membership of the house of representatives by the speaker. The members of the committee shall serve as such until discharged by the president of the senate and the speaker of the house of representatives upon receipt of their report at the Regular Session of the Legislature in 1963. The committee shall elect a chairman and vice chairman from among their own number. The members of the committee shall each be entitled to receive his regular legislative pay and expenses for each day he is engaged in the performance of his committee duties, not to exceed 60 days in any year.

Section 2. It shall be the duty of the committee to make as complete

an investigation as time permits of all persons, groups of persons, and organizations who seek illegally the overthrow or destruction of the government of the State of Alabama or the subjection of the citizens of Alabama to the authority of foreign states, governments, or peoples. Such investigation shall be conducted with the purpose in view of reporting to the Legislature the activities of such persons, groups of persons, or organizations to the end that corrective legislation may be adopted if found necessary to correct any abuses against the peace and dignity of the State of Alabama. The committee may contact and deal with such agencies and bodies, public or private, as it may consider necessary to effectuate its purpose. And the committee shall cooperate with all law enforcement agencies in investigating any matter within the scope of this Act.

Section 3. The committee may employ and fix the compensation of a secretary, and such investigators, experts, other clerical and technical assistants as it may consider necessary to the performance of its duties. Every department, commission, board, agency, officer, and employee of the State of Alabama or any political subdivision thereof shall furnish the committee, upon its request, any information, records, and documents that the committee considers necessary for its examination or scrutiny. The committee may hold hearings at any place within the State of Alabama which may be agreeable to it, and such meetings may be open to the public or closed sessions, as the committee determines appropriate.

Section 4. Upon a majority vote of all the members appointed, the committee may require by subpoena the attendance of witnesses and the production of papers, books and documents, and take such testimony as may be relevant and material to any issue within the scope of its inquiry. Should any witness fail to respond to the lawful subpoena of the committee, or having responded fail to answer all lawful inquiries or turn over evidence to the committee, the committee, by vote of a majority of the members appointed, may file a petition in the circuit court of the county where it is then sitting, showing such failure on the part of the witness, in which case the court shall take jurisdiction of the witness and the subject matter of the petition and shall direct the witness to respond to all lawful questions and to produce all documentary evidence in his possession which is lawfully demanded. The failure of any witness to respond pursuant to the order of the court shall constitute a direct contempt of court and the court shall punish the witness accordingly.

Section 5. Witnesses subpoenaed by the committee need not be sworn, but shall give their testimony under the penalty of being adjudged guilty of contempt and punished in the circuit court if they testify falsely. Or, the committee may administer oaths to witnesses subpoenaed, and any witness who testifies falsely under oath shall be guilty of perjury and upon conviction shall be punished as prescribed by law. The committee shall not refuse to a party summoned before it the aid of counsel, who shall have the right to examine or cross-examine witnesses. No witness subpoenaed to appear before the committee shall be charged with contempt for failing to respond thereto unless he shall have been served with the subpoena at least 3 days before the date set for the hearing.

Section 6. The sum of \$2,500 is hereby appropriated from any funds in the state treasury not otherwise appropriated for use of the committee to pay expenses incurred during the fiscal year ending September 30, 1961. There is also appropriated from any funds in the state treasury not otherwise appropriated, for the fiscal year ending September 30, 1962, the sum of \$37,500. These appropriations may be spent only under the direction of the

committee. None of the expenses of the committee, or of personnel employed by the committee, shall be paid for otherwise than from the appropriations herein made; and the committee shall not accept directly or indirectly any donation, gratuity, or gift from any person, firm, group, organization, or corporation whatsoever.

Section 7. The committee shall report to the 1963 Regular Session of the Legislature the results of its investigation, together with its recommendations, if any, for necessary legislation; and upon the filing of such report, the committee shall be discharged.

Section 8. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 9. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

On motion of Mr. Hawkins the amendment offered by Mr. Gilchrist was laid upon the table.

Yeas 53; Nays 47.

Yeas:

Messrs.	Ferguson	Long (Perry)	Pruitt
Adams	Gilmer	McClendon (Chambers)	Ramey
Albea	Glass	McCorquodale	Rast
Avery	Gordon	McLendon (Bullock)	Reynolds (Chambers)
Barnett	Grant	Martin	Rogers
Bassett	Gross	Merrill	Salter
Boyd	Hain	Morrow	Sessions
Britton	Hardy	Nettles	Smith (Russell)
Cates	Harvey	Oakley	Smith (St. Clair)
Chambers	Hawkins	Owens	Speaks
Cornett	Ingram	Perry	Taylor
Dunn	Jones (Covington)	Phillips	Thomas
Edwards	Lee	Pierce	Trimmier
Faulk	Locke		

—53

Nays:

Mr. Speaker	Casey	Hanby	Oden
Bailey	Cook	Hankins	Powell
Bevill	Copeland	Harris	Ray
Bishop	Dickson	Hearn	Reynolds (Madison)
Brannan	Dodd	Jenkins	Roberts
Branyon	Engel	Johnson (J. T. Tom)	Rozelle
Brewer	Franklin	Johnston (Leonard)	Self
Broadfoot	Gilchrist	Jones (Monroe)	Solomon
Brooks	Goldthwaite	Long (Lauderdale)	Steagall
Cabiness	Goodwyn	Meade	Turner
Callahan	Grouby	Murphy	Vickers
Camp	Guthrie	Nichols	

—47

Mr. Guthrie offered the following amendment to the bill, H. 40, as amended:

Amend H. B. 40 as substituted

After section number — add the following.

Section . . . All the Citizens of Bugtussel, Cullman County, Ala. are exempted from the provisions of this Act. Also All the people of Bucks pocket, Ala.

On motion of Mr. Hawkins the amendment offered by Mr. Guthrie was laid upon the table.

Yeas 69; Nays 27.

Yeas:

Mr. Speaker	Ferguson	Jones (Covington)	Pierce
Adams	Franklin	Jones (Montee)	Powell
Albea	Gilmer	Lee	Pruitt
Avery	Glass	Locke	Ramey
Bailey	Goldthwaite	Long (Perry)	Rast
Barnett	Goodwyn	McClendon (Chambers)	Ray
Bassett	Gordon	McCorquodale	Roberts
Boyd	Grant	McLendon (Builock)	Rogers
Brannan	Gross	Martin	Rozelle
Brooks	Hain	Merrill	Sessions
Cates	Hanby	Morrow	Smith (Russell)
Chambers	Hardy	Nettles	Solomon
Cornett	Harvey	Nichols	Speaks
Daniel	Hawkins	Oakley	Thomas
Dickson	Ingram	Owens	Trimmier
Dunn	Jenkins	Perry	Turner
Edwards	Johnson (J. T. Tom)	Phillips	Vickers
Faulk			

—69

Nays:

Messrs.	Camp	Guthrie	Murphy
Branyon	Casey	Harris	Oden
Brewer	Cook	Hearn	Reynolds (Madison)
Britton	Copeland	Johnson (Hardaway)	Self
Broadfoot	Dodd	Johnston (Leonard)	Smith (St. Clair)
Cabiness	Engel	Long (Lauderdale)	Steagall
Callahan	Grouby	Meade	Sullivan

—27

Mr. Gilchrist offered the following amendment to the bill, H. 40, as amended:

Amendment to H. B. 40 as amended by the Substitute.

Amend H. B. 40 as amended by adding at the end of the last paragraph thereof the following—"The Committee shall not refuse to the party sum-

moned before it the right to examine or cross-examine the witnesses appearing against him."

On motion of Mr. Hawkins the amendment offered by Mr. Gilchrist was laid upon the table.

Yeas 52; Nays 45.

Yeas:

Messrs.	Faulk	Lee	Phillips
Adams	Ferguson	Locke	Pierce
Avery	Gilmer	Long (Perry)	Ramey
Barnett	Gordon	McClendon (Chambers)	Reynolds (Chambers)
Bassett	Grant	McCorquodale	Rogers
Boyd	Gross	McLendon (Bullock)	Rozelle
Brooks	Hain	Martin	Salter
Cates	Hardy	Morrow	Sessions
Chambers	Harvey	Nettles	Solomon
Cornett	Hawkins	Nichols	Speaks
Daniel	Ingram	Oakley	Sullivan
Dickson	Johnson (J. T. Tom)	Owens	Thomas
Dunn	Jones (Covington)	Perry	Trimmier
Edwards			

—52

Nays:

Messrs.	Casey	Hankins	Oden
Albea	Cook	Harris	Powell
Bailey	Copeland	Hearn	Ray
Bevill	Dodd	Jenkins	Reynolds (Madison)
Bishop	Engel	Johnson (Hardaway)	Roberts
Brannan	Franklin	Johnston (Leonard)	Self
Branyon	Gilchrist	Jones (Monroe)	Smith (Russell)
Brewer	Goldthwaite	Long (Lauderdale)	Smith (St. Clair)
Broadfoot	Goodwyn	Meade	Steagall
Cabiness	Grouby	Merrill	Turner
Callahan	Guthrie	Murphy	Vickers
Camp	Hanby		

—45

Mr. Broadfoot offered the following substitute for the bill, H. 40, as amended:

A BILL
TO BE ENTITLED
AN ACT

Requiring Communists and known members of Communist-front organizations to register with the department of public safety, and prescribing penalties.

Be It Enacted by the Legislature of Alabama:

Section 1. Each person remaining in this State for as long as one day who is a Communist or is knowingly a member of a Communist Front Or-

ganization, shall register with the department of public safety on or before the fifth consecutive day that such person remains in this state, and at such intervals thereafter as may be directed by the department of public safety.

Section 2. Such registration shall be under oath and shall set forth the name (including any assumed name used or in use), address, business occupation, purpose of presence in the State of Alabama, sources of income, place of birth, places of former residence, and features of identification, including fingerprints, of the registrant; organizations of which registrant is a member; names of persons known by registrant to be Communists or members of any Communist Front Organization; and any other information requested by the department of public safety which is relevant to the purposes of this Act.

Section 3. Each and every officer of the Communist Party and each and every officer of Communist Front Organizations, knowing said organizations to be Communist Front Organizations, shall register or cause to be registered said party or organizations with the department of public safety, if said party or organizations have any members who reside, permanently or for a period of more than thirty days, in the State of Alabama. Such registration shall be under oath and shall include the name of the organization, the location of its principal office and of its offices and meeting places in the State of Alabama; the names, real and assumed, of its officers; the names, real and assumed, of its members in the State of Alabama and of any person who has attended its meetings in the State of Alabama; a financial statement reflecting receipts and disbursements and by whom and to whom paid; and any other information requested by the department of public safety which is relevant to the purposes of this statute. Such registrations shall be made within thirty days after the effective date of this Act, and thereafter at such intervals as are directed by the department of public safety.

Section 4. Failure to register as herein required, or the making of any registration which contains any false statement or any omission, shall constitute a felony and shall be punishable by a fine of not less than \$1,000 or more than \$10,000, or by imprisonment in the penitentiary for not less than two or more than ten years, or by both.

Section 5. The registration records shall be open to inspection by all law enforcement officers of the United States, of this state or of any other state or territory of the United States. Such records may also, in the discretion of the department of public safety, be open for inspection by the general public.

Section 6. All laws or parts of laws which conflict with this Act are repealed.

Section 7. This Act shall become effectively immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Mr. Hawkins moved to lay on the table the substitute offered by Mr. Broadfoot.

The Speaker ruled that the substitute offered by Mr. Broadfoot was not germane to the bill, H. 40, as amended.

Mr. Self offered the following amendment to the bill, H. 40, as amended:

"All residents of the twenty-fifth Judicial Circuit of Alabama are excluded from the provisions of this bill."

On motion of Mr. Hawkins the amendment offered by Mr. Self was laid upon the table.

Yeas 58; Nays 33.

Yeas:

Mr. Speaker	Franklin	Lee	Pierce
Adams	Gilmer	Locke	Powell
Albea	Glass	Long (Perry)	Pruitt
Avery	Gordon	McClendon (Chambers)	Ramey
Barnett	Grant	McCorquodale	Rast
Boyd	Gross	Martin	Rogers
Brooks	Hain	Merrill	Rozelle
Cates	Hardy	Morrow	Salter
Chambers	Harris	Nettles	Sessions
Daniel	Harvey	Nichols	Smith (Russell)
Dickson	Hawkins	Oakley	Solomon
Dunn	Ingram	Owens	Speaks
Edwards	Jenkins	Perry	Thomas
Faulk	Johnson (J. T. Tom)	Phillips	Turner
Ferguson	Jones (Monroe)		

—58

Nays:

Messrs.	Camp	Hanby	Murphy
Bailey	Casey	Hankins	Ray
Bevill	Cook	Hearn	Reynolds (Chambers)
Bishop	Copeland	Johnson (Hardaway)	Reynolds (Madison)
Branyon	Dodd	Johnston (Leonard)	Self
Brewer	Engel	Jones (Covington)	Shumate
Broadfoot	Goldthwaite	Long (Lauderdale)	Steagall
Cabiness	Grouby	Meade	Sullivan
Callahan	Guthrie		

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 59. Relative to the Alabama Hall of Fame—amending H. J. R. 110, 1951 Regular Session.

H. J. R. 60. Expressing regret for the death of Charles Edward Pounders of Florence.

J. E. SPEIGHT,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 59. Relative to the Alabama "Hall of Fame" Board.
Also:

H. J. R. 60. Relative to the death of Charles Edwards Pounders of Florence, Alabama.

And finds same correctly enrolled.

VIRGIS M. ASHWORTH,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions the titles to which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 55. Relative to the death of Cecil G. Duffee, former member of the House and extending sympathy to surviving members of his family.
Also:

H. J. R. 56. Relative to a Joint Session of the two Houses being held at 11:00 A. M. Tuesday, July 18, for the purpose of hearing an address by Dr. Luther L. Terry, Surgeon General of the United States.
Also:

H. J. R. 58. Relative to naming the gymnasium at Jacksonville State College the "Julian Stephenson Gymnasium".

And finds same correctly enrolled.

VIRGIS M. ASHWORTH,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately

after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions the titles to which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Messrs. Gaither, Cooper, Andrews, Robison, deGraffenried, Haltom, Jones, Graham, Rutledge, Webb, Shelton, Moses, Word, Crawford, Turner, Givhan, Golson, Hines, Samford, Leonard, Godfrey, Porter and Roberts:

S. 132. To provide for and regulate general and special elections in the cities and towns of this state, except those cities and towns which have a commission form of government; designating the date for regular elections, and authorizing the municipal governing body to call special elections; prescribing the manner of giving notice of municipal elections, and of designating voting places, and of appointing and compensating election officers; providing for the preparation of ballots and voting machines for such elections; prescribing the manner of casting ballots, counting the votes, and making returns of elections; providing for absentee voting at such elections; providing for and requiring a second or run-off election whenever no candidate receives a majority of the votes cast; designating certain acts and omissions relative to municipal elections as offenses and prescribing penalties therefor; prescribing the grounds on which such elections may be contested and the procedure for contests thereof; and providing that the costs of municipal elections shall be paid by the city or town holding such elections.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bill, the title to which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 132. Local Government

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Kendall, Godfrey, Graham, Roberts, Jones, Webb, Samford, Barnett, Wyatt, Word, Clark, Farmer, Crawford, Green, Turner, Golson, Cooper, Wilson, Robison, Andrews, Archer, Berryman, Caffey, Eddins,

Porter, Gaither, Leonard, Hines, Dumas, Givhan, Haltom, Rutledge, deGraffenried, Moses and Shelton:

S. J. R. 26. WHEREAS; In the annals of the State of Alabama from its beginning as a territory, there are recorded the brilliant achievements and the gallant and magnanimous deeds of its sons and daughters.

The Alabama Hall of Fame seeks to memorialize the great service in many fields of endeavor, to this State by pre-eminent men and women, all of whom belong to the past. There are represented among these Alabama immortals, great soldiers and pioneers; dedicated statesmen and public servants; famed educators and historians; industrialists of broad and clear vision; noteworthy men and women of letters, and distinguished jurists. Their deeds, some reaching back nearly two centuries, are perpetuated in our hearts, from which we today draw inspiration, hope and courage.

By this resolution, on this 14th day of July, 1961, this legislative branch of the State Government resolves to pay homage to an illustrious living son of Alabama on his 80th anniversary. We honor him for his selfless devotion to this State and its people, and for his pre-eminence in many spheres of activity dedicated to the welfare and progress of this State.

Farsighted pioneer and eminent member of the bar, he was among the first to recognize the vast potential of Alabama's rivers. Author of the first laws of the State for the development of its streams for hydro-electric power, he sought to safeguard the interest of the people and to advance the progress of the State. On that foundation he later built the Alabama Power Company that has contributed so notably to the development of our State and to the well-being of its people.

For this and other outstanding achievements, the Edison Electric Institute by an unprecedented action at its 1959 annual meeting named him "Dean of the Electric Power Industry, a pioneer of electrical development in the South, and a man of vision, ability, determination and inspiring courage, who overcame great financial, commercial, and engineering obstacles to build a utility system that from its inception has made and continues to make great contributions to the sound industrial, farming, and commercial development of his native state of Alabama."

Few men, through the long history of Alabama, have rendered so many varied benefactions to their contemporaries. Many of the State's respected and esteemed organizations came into being because of his vision and driving force—Alabama Newcomen Society, Alabama State Chamber of Commerce, Birmingham's famed Committee of 100 which has served as a prototype for other similar groups in Alabama and elsewhere, and the Gorgas Scholarship Foundation which was organized to help provide financial help to students showing promise in scientific fields.

He has been the recipient of honorary degrees from Auburn University, University of Alabama, Birmingham-Southern College, St. Bernard College, Spring Hill College, and Cumberland University.

His civic and business accomplishments have been recognized in the City of Birmingham by his being named "Man of the Year," in Dixie Business as "Man of the South," in Forbes Magazine as one of "America's Fifty Foremost Business Leaders," and in the National Management Association as its

"Management Man of the Year." His statement "The last half of the 20th century belongs to the South" has become the rallying slogan for the resurgence of the New South.

Chronicler and historian, his research established the direct effect of Jackson's victory at Horseshoe Bend upon the Treaty of Ghent, which saved the vast area of the Middle West from again becoming an English Colony. The Congress of the United States has now recognized the importance of Jackson's victory by making Horseshoe Bend a national shrine.

Narrator of the "French Military Adventures in Alabama," the French Government signalized his achievement by awarding him that country's highest recognition to men of letters, arts, and science, Officier d' Academie, France, and the Palmes Academiques. He is also a member of The Royal Society of Arts of London, England which has for its purpose the encouragement of arts, manufactures, and commerce and was founded in 1754.

Founder of Southern Research Institute, he brought to the South the first concerted effort through science to strengthen its power, broaden its frontiers, enlarge its sphere of work, and to conserve the talents of its sons and daughters in the field of science.

Builder of the State's industries and champion of freedom of opportunity, he has labored without end to advance the good of our people.

Staunch upholder, through the long years, of all that is high and worthy in the religious, communal and economic life of our citizenship, he is living proof that unerring judgment, which is prompted by the heart, is infallibly a mark of greatness.

WHEREAS, the Legislature of the State of Alabama has as its purpose to do honor to and acclaim the life's work of this native son on his 80th birthday;

THEREFORE BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby declare that August 13th of each year be designated as "Thomas W. Martin Day" to signalize and pay honor to his life's work so that our people may be inspired by his indomitable courage to accomplish their highest aspirations, and from which in the years to come they may garner added faith and spiritual strength.

AND BE IT FURTHER RESOLVED that Thomas W. Martin is cordially invited to address a joint session of the Senate and House of this State on Friday, August 11, 1961, at 12 o'clock noon, and that the Honorable John Patterson, Governor of Alabama, be invited to introduce him. The President of the Senate and the Speaker of the House shall name a joint committee on arrangements for the occasion.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Beville the rules were suspended and the House concurred in and adopted the S. J. R. 26 set out in the above and foregoing Message from the Senate.

And the Speaker named as a Committee on the part of the House Messrs. Bevill, Pruitt, Jenkins, Thomas, Jones (Monroe), Meade, Johnson (Hardaway), Hanby, Martin and Smith (Russell).

CONSIDERATION OF H. 40 RESUMED

H. 40. To establish a Permanent Joint Legislative Committee to study, investigate, subpoena, analyze, and interrogate the activities of persons, groups, and organizations who seek to destroy the ideals of the citizens of the State of Alabama under the color of protection afforded by the Bill of Rights for the Constitution of the United States and the Constitution of the State of Alabama.

As amended, was again taken up.

Mr. Goodwyn offered the following amendment to the bill, H. 40, as amended:

Amendment to H. B. 40 as amended by the substitute.

Amend H. B. 40, as amended by adding at the end of the last paragraph of Section 5 thereof the following:

And the committee shall not refuse to the party summoned before it the right to examine or cross-examine the witnesses appearing against him; provided, however, the chairman may reasonably limit such cross-examination.

And the amendment was adopted.

Yeas 94; Nays 3.

Yeas:

Mr. Speaker	Dickson	Ingram	Powell
Adams	Dodd	Jenkins	Pruitt
Albea	Dunn	Johnson (Hardaway)	Ramey
Avery	Edwards	Johnson (J. T. Tom)	Rast
Bailey	Faulk	Johnston (Leonard)	Ray
Barnett	Ferguson	Jones (Covington)	Reynolds (Chambers)
Bassett	Franklin	Jones (Monroe)	Reynolds (Madison)
Bevill	Gilchrist	Lee	Roberts
Bishop	Gilmer	Locke	Rogers
Boyd	Glass	Long (Lauderdale)	Rozelle
Branyon	Goldthwaite	Long (Perry)	Salter
Brewer	Goodwyn	McClendon (Chambers)	Self
Britton	Gordon	Martin	Sessions
Broadfoot	Grant	Meade	Shumate
Brooks	Gross	Merrill	Smith (Russell)
Cabiness	Grouby	Morrow	Smith (St. Clair)
Callahan	Guthrie	Murphy	Solomon
Camp	Hain	Nettles	Speaks
Casey	Hanby	Nichols	Steagall
Chambers	Hankins	Oakley	Sullivan
Cook	Hardy	Oden	Thomas
Copeland	Harris	Owens	Turner
Cornett	Hawkins	Phillips	Vickers
Daniel	Hearn		

Nays:

Messrs.	Cates	Perry	Pierce
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—3

And said bill, H. 40, as amended, was then read a third time at length and passed.

Yeas 80; Nays 13.

Yeas:

Mr. Speaker	Engel	Johnson (J. T. Tom)	Powell
Adams	Faulk	Jones (Covington)	Pruitt
Albea	Ferguson	Jones (Monroe)	Ramey
Avery	Franklin	Lee	Rast
Bailey	Gilchrist	Locke	Reynolds (Chambers)
Barnett	Gilmer	Long (Perry)	Rogers
Bassett	Glass	McClendon (Chambers)	Rozelle
Boyd	Goldthwaite	McCorquodale	Salter
Britton	Goodwyn	Martin	Self
Brooks	Gordon	Meade	Sessions
Cabiness	Grant	Merrill	Smith (Russell)
Callahan	Gross	Morrow	Solomon
Camp	Hain	Murphy	Speaks
Chambers	Hankins	Nettles	Steagall
Cornett	Hardy	Nichols	Sullivan
Daniel	Harris	Oakley	Thomas
Dickson	Hawkins	Owens	Torbert
Dodd	Hearn	Perry	Turner
Dunn	Ingram	Phillips	Turnham
Edwards	Jenkins	Pierce	Vickers

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Nays:

Messrs.	Broadfoot	Guthrie	Long (Lauderdale)
Bishop	Casey	Johnson (Hardaway)	Reynolds (Madison)
Branyon	Cook	Johnston (Leonard)	Roberts
Brewer	Copeland		

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MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Cabiness to suspend the rules in order to introduce a resolution out of order was adopted.

RESOLUTION

The following resolution was introduced:

By Messrs. Cabiness and Speaks:

H. R. 61. RESOLVED, That we warmly extend to our firm friend and esteemed colleague, the Honorable W. W. Gross, heartiest congratulations

and all good wishes on this day, July 14, 1961, his seventieth birthday. It is our fervent hope that he will continue to enjoy the blessings of a good and useful life for many, many years to come.

On motion of Mr. Cabiness the rules were suspended and H. R. 61 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Dumas:

S. J. R. 28. WHEREAS, there is a need for a direct Federal Highway connection to the Midwest through Memphis, Springfield and Kansas City, and

WHEREAS, such a route would be of substantial benefit to the economic development of the State of Alabama and the Southeast;

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES concurring, that the following general route is hereby recommended as an addition to the National System of Interstate and Defense Highways:

From Kansas City, Kansas, through Springfield, Missouri, Memphis, Tennessee, Birmingham, Alabama, and Columbus, Georgia, to Valdosta, Georgia.

BE IT FURTHER RESOLVED that a copy of this Resolution shall be Transmitted to:

Alabama Senators and Congressmen

The Director of the State Highway Department

The Federal Bureau of Public Roads.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Perry the rules were suspended and the House concurred in and adopted the S. J. R. 28 set out in the above and foregoing Message from the Senate.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Bishop to suspend the rules in order to introduce a resolution out of order was adopted.

RESOLUTION

The following resolution was introduced:

By Mr. Bishop:

H. J. R. 62. WHEREAS many of our finest citizens, veterans of World War I, who served honorably during the period of that war to uphold our democratic way of life and the basic principles of freedom cherished by the nation, have reached the age when they can no longer earn a livelihood for themselves and their families, and are suffering from illnesses and infirmities, brought on by, or resulting from their war service; and

WHEREAS many of these veterans have not worked in employment covered by social security or other retirement systems and are not eligible for social security or any other type of retirement benefits, and are therefore dependent on other means of support for themselves and their families; now therefore, be it

RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Veterans' Affairs Committee of the House of Representatives of the United States be memorialized to give immediate, favorable consideration to the pending legislation proposing to provide pensions or other benefits for veterans of World War I and their widows and dependents.

RESOLVED FURTHER, That copies of this resolution be sent by the Clerk to the President of the United States, to each member of the Alabama Congressional Delegation, to the Honorable Howard W. Smith, Chairman of the Rules Committee, House of Representatives of the United States, and to the Honorable Olin U. Teague, Chairman of the Veterans' Affairs Committee of the House of Representatives of the United States.

On motion of Mr. Bishop the rules were suspended and H. J. R. 62 was adopted.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Brewer to suspend the rules in order to introduce two general bills out of order was adopted.

INTRODUCTION OF BILLS

The following bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Brewer, Edwards, Sessions, Perry, Brannan, Dodd, Roberts, Self, Gilchrist, Rast, Turner, Morrow, Guthrie, Jones (Covington), Ferguson and Lee:

H. 1031. To amend Section 26 of Title 46, Alabama Code of 1940, relating to the admission to the state bar of graduates of the law department of the University of Alabama.

Judiciary.

By Messrs. Edwards, Rast, Hawkins, Morrow, Sessions, Turnham, McClen-don (Chambers), Cabiness, Gross, Daniel, Oden, Adams, Martin, McCor-quodale, Johnston (Leonard), Dunn, Ramey, Taylor, Ferguson, Solomon, Sullivan, Meade, Branyon, Dodd, Hearn, Glass, Salter, Rozelle, Cham-bers, Harvey, Britton, Jones (Monroe), Perry, Cook, McLendon (Bul-lock), Rogers, Reynolds (Madison), Nichols, Murphy, Ray, Oakley, Brooks, Hardy, Gilmer, Avery, Johnson (Hardaway), Long (Lauderdale), Barnett, Shumate, Hankins, Faulk, Grouby, Smith (St. Clair), Owens, Brannan, Phillips and Trimmier:

H. 1032. To amend Section 26, Title 46, Alabama Code of 1940, so as to admit graduates of Cumberland Law School of Howard College, as well as graduates of the law department of the University of Alabama as members of the state bar upon certificate of graduation.

Judiciary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Reso-lution and sends same herewith to the House for its consideration:

By Mr. Dumas:

S. J. R. 27. WHEREAS on October 9, 1960 the University of Alabama Medical Center formally opened its magnificent new University Hospital and Hillman Clinic Psychiatric Clinic and,

WHEREAS this important facility was made possible by the financial generosity, vision and devotion to public service of Mr. and Mrs. Joseph Smolian of Birmingham, and,

WHEREAS the Board of Trustees of the University of Alabama has unanimously requested authority to dedicate and name this building as an appropriate recognition of the contribution made by Mr. and Mrs. Smolian to Alabama's medical resources,

NOW THEREFORE, BE IT RESOLVED BY THE SENATE OF ALA-BAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That the Board of Trustees is authorized to designate and name said Psychiatric Clin-ic as the Joseph and Bertha Smolian Psychiatric Clinic.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Perry the rules were suspended and the House con-curred in and adopted the S. J. R. 27 set out in the above and foregoing Message from the Senate.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Camp to suspend the rules in order to introduce a

general bill out of order was adopted.

Yeas 53; Nays 10.

Yeas:

Mr. Speaker	Copeland	Hain	Murphy
Adams	Daniel	Hanby	Nichols
Albea	Dodd	Hearn	Oakley
Bailey	Dunn	Ingram	Phillips
Bishop	Engel	Johnson (Hardaway)	Pierce
Branyon	Franklin	Johnston (Leonard)	Rogers
Brewer	Gilchrist	Jones (Covington)	Rozelle
Britton	Glass	Locke	Shumate
Broadfoot	Goldthwaite	Long (Lauderdale)	Speaks
Cabiness	Goodwyn	McClendon (Chambers)	Steagall
Camp	Gordon	McCorquodale	Thomas
Casey	Gross	Meade	Turner
Cates	Grouby	Merrill	Vickers
Cook			

—53

Nays:

Messrs.	Chambers	Jenkins	Ramey
Brooks	Ferguson	Morrow	Solomon
Callahan	Guthrie	Perry	

—10

INTRODUCTION OF BILL

The following bill was introduced, read one time and referred to appropriate standing committee, as follows:

By Messrs. Nichols, Franklin, Camp, Ingram, Speaks, Cates and Copeland.

H. 1033. To provide a method of bringing suit for the collection of damages in the name of the State of Alabama against any person or persons, firm, company, corporation, partnerships or co-partnerships who or which through the discharge or placing of material of whatever nature into any of the streams of this State cause fish or marine life to be killed from such discharge; and to provide for damages.

Agriculture.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Cates to suspend the rules in order to introduce local bills only was adopted.

INTRODUCTION OF BILLS

The following bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Steagall (with notice and proof):

H. 1034. To provide for appointment of an additional deputy sheriff of Dale County and for payment of his compensation.

Local Legislation No. 1.

Notice and Proof H. 1034:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF DALE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To provide for appointment of an additional deputy sheriff of Dale County and for payment of his compensation.

Be It Enacted by the Legislature of Alabama:

Section 1. The sheriff of Dale County may, with the approval of the court of county commissioners, board of revenue or other like county governing body, appoint an additional deputy whose compensation shall be paid by the county in an amount of not less than \$2400 nor more than \$4000, as determined by the county governing body. The compensation of such deputy may be paid from any funds in the county treasury available for that purpose, including the county highway and traffic fund.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF DALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared John Q. Adams, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Southern Star, a newspaper of general circulation published in Dale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 15, June 22, June 29, and July 6, all in the year 1961.

JOHN Q. ADAMS.

Sworn to and subscribed before me July 13, 1961.

BETTYE B. GARRETT,
Title Notary Public.

By Mr. Steagall (with notice and proof):

H. 1035. To provide for the compensation of the county or deputy solicitor of Dale County.

Local Legislation No. 1.

Notice and Proof H. 1035:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF DALE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To provide for the compensation of the county or deputy solicitor of Dale County.

Be It Enacted by the Legislature of Alabama:

Section 1. The county or deputy solicitor of Dale County shall be entitled to a salary of two hundred dollars a month, payable from the county treasury at the end of each month, on warrants drawn in the manner prescribed by law.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. This act shall become effective August 1, 1961.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF DALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared John Q. Adams, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Southern Star, a newspaper of general circulation published in Dale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 15, June 22, June 29, and July 6, all in the year 1961.

JOHN Q. ADAMS.

Sworn to and subscribed before me July 13, 1961.

BETTYE B. GARRETT,
Title Notary Public.

By Mr. Salter (with notice and proof):

H. 1036. To regulate the purchase of supplies, materials, equipment, and other personal property for or on behalf of Conecuh County or any of its officers, departments, agents, or instrumentalities; providing for competitive bidding on certain purchases and prescribing penalties.

Local Legislation No. 1.

Notice and Proof H. 1036:

NOTICE

STATE OF ALABAMA COUNTY OF CONECUH

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and applications for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To regulate the purchase of supplies, materials, equipment, and other personal property for or on behalf of Conecuh County or any of its officers, departments, agents, or instrumentalities; providing for competitive bidding on certain purchases and prescribing penalties.

Be It Enacted by the Legislature of Alabama:

Section 1. All purchases of supplies, materials, equipment and other personal property for or on behalf of Conecuh County, or any of its officers, departments, agents, or instrumentalities, shall be made by the Board of Directors or other like governing body of the county, or its duly authorized agent, under such reasonable rules and regulations and procedures as the county governing body may prescribe, and such reasonable accounts, ledgers and journals of the purchases and of the several funds of the county shall be as directed by the county governing body. But written, sealed, competitive bids must be obtained on all proposed purchases or supply contracts when the amount involved is three hundred dollars or more. If the amount of the proposed purchase or supply contract is in excess of three hundred dollars, written notice by registered or certified mail, with return receipt requested, shall be given at least three suppliers. A copy of such notice or notices, together with the return receipts showing their delivery, must be filed in the records of the Board of Directors or other like county governing body. Copies of such notices with return receipts properly filed as directed shall be considered as evidence of compliance with this section.

Section 2. All bids received on proposed purchases or supply contracts shall be written and sealed and shall be opened publicly at the time and place stated in the invitation to bid. The supply contract or order shall be awarded to the responsible bidder making the lowest and best bid. All bids received, with the names of the bidders, shall be filed with the purchasing records of the Board of Directors or like county governing body. Each bid received and filed must have recorded upon its face whether accepted or

rejected with the reasons for the award if not awarded to the lowest bidder. All bids and purchasing records shall be open to public inspection. In the event any equipment or property of the county is to be replaced by a proposed purchase, the invitation to bid must contain an offer to buy with the old or used equipment to be taken in trade. In making purchases for the county, the purchasing agent shall give preference to commodities produced or sold in Conecuh County; and a two per cent differential in price may be allowed resident vendors, provided there is no sacrifice or loss in quality, terms of delivery, or otherwise.

Section 3. The county purchasing agent may obtain information from the Division of Purchases and Stores, State Department of Finance, relative to the items to be purchased, and if the supply contract or proposed purchases can be negotiated at a price equal to or less than the state price, it shall be unnecessary to seek bids as provided in Sections 1 and 2, and the purchase may be made on the basis of the negotiated price. When purchases of supplies, materials, equipment, or other personal property are made under this section, the files of the purchase shall contain evidence verifying the purchase price to be equal to or below the state price.

Section 4. In an emergency a purchase involving more than three hundred dollars may be made without competitive bids and without obtaining information from the Division of Purchases and Stores, State Department of Finance. However, a full written account of the circumstances necessitating any such emergency purchase, together with the statement describing the item purchased and naming the vendor from whom the item was purchased, shall be at once prepared by the purchasing agent and filed in his office with the records of the purchase. Any emergency, as the term is used herein, means a situation where equipment, supplies and materials are needed immediately to place in operating condition the road or bridge system of the county which has become impassable or dangerous due to damage or destruction of existing portions thereof, and the emergency repair or replacement of buildings, such as the court house, jail, or other county owned buildings, utilities and facilities that have been damaged by fire, windstorm, riot, subterfuge, sabotage, war or providential disaster or other disaster. The provisions of this Act regarding competitive bidding and obtaining information from the State Purchasing Agent may be waived also for purchases of perishable commodities, utility services, machinery repairs and parts, and commodities or services for which there is no competitive situation.

Section 5. Whoever purchases or attempts to purchase property for or on account of Conecuh County or any of its officers, departments, agencies, or instrumentalities, or attempts to sell or sells property to Conecuh County or any of its offices, departments, agencies, or instrumentalities, contrary to the provisions of this Act, or whoever violates any provision of this Act, is guilty of a misdemeanor and upon conviction shall be fined not less than one hundred nor more than one thousand dollars, and in addition may be imprisoned for not more than one year.

Section 6. The Board of Directors or other like county governing body of Conecuh County may employ and fix the compensation of its purchasing agent, provide the purchasing agent with offices, supplies, books, equipment, postage, transportation, assistants necessary for the proper and efficient conduct of his duties.

Section 7. All laws or parts of laws which conflict with this Act are repealed.

Section 8. This Act shall become effective on the first of the month during which it is enacted.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CONECH

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. G. Bozeman, Jr., who being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of The Evergreen Courant, a newspaper of general circulation published in Conecuh County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 22, June 29, July 6, and July 13, all in the year 1961.

R. G. BOZEMAN, JR.

Sworn to and subscribed before me July 13, 1961.

ELOISE STUART,
Title Notary Public State-at-Large.

By Mr. Salter:

H. 1037. To provide expense allowance for members and chairmen of courts of county commissioners, boards of revenue, or other like governing bodies of all counties having populations of not less than 17,400 nor more than 17,800.

Local Legislation No. 1.

By Mr. Salter (with notice and proof):

H. 1038. To provide for paid leaves of absence for employees of Conecuh County.

Local Legislation No. 1.

Notice and Proof H. 1038:

LEGAL NOTICE

A BILL
TO BE ENTITLED
AN ACT

To provide for paid leaves of absence for employees of Conecuh County.

Be It Enacted by the Legislature of Alabama:

Section 1. The Board of Directors of Conecuh County or other like county governing body is authorized and empowered to provide for the pay-

ment of sick leave and vacation leave of absence to every employee whose compensation is paid from the county treasury. Sick leave and vacation leave may accumulate from year to year as directed by the governing body. The county governing body shall make such rules and regulations that are deemed necessary and expedient to provide a fair and equitable scale for payment for sick leave and vacation leave to all of its employees.

Section 2. No leave of absence shall be made to an employee unless application for payment has been made according to the rules and regulations of the county governing body on forms provided for that purpose and the application has been approved by the employee's supervisor.

Section 3. Upon termination of his employment, an employee, or his heirs, assigns and beneficiaries, must make proper application for earned sick leave or vacation leave of absence within thirty days of the date of termination. After the thirty-day period all rights and claims are forfeited and the former employee's leave accounts shall be cancelled.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CONECUH

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. G. Bozeman, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of The Evergreen Courant, a newspaper of general circulation published in Conecuh County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 22, June 29, July 6, and July 13, all in the year 1961.

R. G. BOZEMAN, JR.

Sworn to and subscribed before me July 13, 1961.

ELOISE STUART,
Title Notary Public State-At-Large.

By Messrs. Copeland and Hanby:

H. 1039. Relating to counties having a population of not less than 96,000 nor more than 106,000 inhabitants; Providing that witness certificates obtained as a State's witness before the Grand Jury or before the Circuit or County Court in which a criminal prosecution is pending shall be paid immediately upon presentation for payment.

Local Legislation No. 1.

By Messrs. Vickers and Johnson (J. T. Tom) (with notice and proof):

H. 1040. To amend Act No. 83, H. 427, Regular Session 1957, an act relating to the compensation of the coroner of Tallapoosa County (Acts of Ala. 1957, vol. I, p. 124).

Local Legislation No. 1.

Notice and Proof H. 1040:

NOTICE

STATE OF ALABAMA COUNTY OF TALLAPOOSA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Act No. 83, H. 427, Regular Session 1957, an act relating to the compensation of the coroner of Tallapoosa County (Acts of Ala. 1957, vol. I, p. 124).

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of Act No. 83, H. 427, Regular Session 1957, an act relating to the compensation of the coroner of Tallapoosa County (Acts of Ala. 1957, vol. I, p. 124) is hereby amended to read as follows:

"Section 2. The compensation herein provided for the coroner of Tallapoosa County shall be in lieu of all fees, commissions, and percentages prescribed by law for the performance of the duties of his office. In addition to the compensation of the coroner as provided in Section 1, he shall be allowed the sum of \$25 a month payable from the county treasurer for office and travel expenses. Any fees, commissions, percentages or allowances not payable by the county which would be collectible for the use of the coroner but for the provisions of this Act shall become effective on the first day of the month next following the date of its enactment.

AFFIDAVIT OF PUBLICATION

I, J. C. Henderson, Publisher, of the Alexander City Outlook, published semi-weekly at Alexander City, Ala. do solemnly swear that a copy of the notice, as per clipping attached, was published Four times in the regular and entire issue of said newspaper and not in any supplement thereof, for Four consecutive weeks, commencing with the issue dated June 8, 1961, and ending with the issued dated June 29, 1961.

J. C. HENDERSON.

Subscribed and sworn before me this 29th day of June, 1961.

T. C. WOLSONCROFT,
Notary Public.
My Commission Expires May 14, 1963.

By Mr. Britton:

H. 1041. To authorize the sheriff of any county having a population of not less than 15,300 nor more than 15,400 to employ an additional deputy upon approval of the county governing body and to provide for and regulate the payment of compensation to such deputy.

Local Legislation No. 1.

By Messrs. Powell and McLendon (Bullock) (with notice and proof):

H. 1042. Relating to Bullock County; prescribing the times when county offices may be closed.

Local Legislation No. 1.

Notice and Proof H. 1042:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF BULLOCK

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Bullock County; prescribing the times when county offices may be closed.

Be It Enacted by the Legislature of Alabama:

Section 1. The offices of county officers and of other county officials or functionaries that are located in the courthouse or in other buildings used for county offices in Bullock County, other than the sheriff's office, may be closed at noon one day each week or all day one day each week, in addition to Sundays and legal holidays, as the court of county commissioners, board of revenue, or like county governing body may determine by resolution or ordinance duly adopted.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF BULLOCK

Before me, the undersigned authority in and for said County in said State, this day personally appeared Wm. H. Garner, who, being by me first duly sworn, deposes and says that during the times herein mentioned he

was publisher of the Union Springs Herald, a newspaper of general circulation published in Bullock County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 22, June 29, July 6, and July 13, all in the year 1961.

WM. H. GARNER.

Sworn to and subscribed before me July 14, 1961.

RUBY M. GARNER,
Title Notary Public.

By Mr. Cates (with notice and proof):

H. 1043. To extend, alter and rearrange the boundary lines and corporate limits of the town of Calera in Shelby County, Alabama, so as to include within the corporate limits of said town of Calera all territory now within such corporate limits and also certain other territory contiguous thereto.

Local Legislation No. 1.

Notice and Proof H. 1043

NOTICE

STATE OF ALABAMA SHELBY COUNTY

Notice is hereby given that at the 1961 regular session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To extend, alter and rearrange the boundary lines and corporate limits of the town of Calera in Shelby County, Alabama, so as to include within the corporate limits of said town of Calera all territory now within such corporate limits and also certain other territory contiguous thereto.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines and corporated limits of the Town of Calera, in Shelby County, Alabama, be and the same are hereby extended, altered and rearranged so that the boundary lines and corporate limits of said town shall embrace and include all the territory now within the existing limits of said town, and in addition thereto, shall embrace and include also all of the other territory lying within the following described boundaries, to-wit:

Begin at the SE corner of Sec. 12, T-24-N, R-13-E, at a point on the County line of Shelby and Chilton, thence run West along the said County

line a distance of 3.75 miles to the SW corner of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Sec. 9, T-24-N, R-13-E, thence run North along the $\frac{1}{4}$ $\frac{1}{4}$ Sec. line a distance of 1 mile to the NW corner of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 9, T-24-N, R-13-E, thence run North along the $\frac{1}{4}$ $\frac{1}{4}$ Sec. line, a distance of 1 mile, to the NW corner of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 4, T-24-N, R-13-E, and a point on the Freeman-Coffee Base Line, thence run West along the Base line to the SW corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 19, T-22-S, R-2-W, thence run North along the center of said Sec. 19, a distance of 1 mile to the NW corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Sec. 19, thence continue North along the center of Sec. 18, T-22-S, R-2-W, a distance of 1 mile to the NW corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Sec. 18, thence continue North along the center of Sec. 7, T-22-S, R-2-W, a distance of 1 mile to the NW corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Sec. 7, T-22-S, R-2-W, thence run East along the Section line a distance of $\frac{1}{2}$ mile to the NE corner of Sec. 7, T-22-S, R-2-W, thence continue East along the Section line a distance of 1 mile to the NE corner of Sec. 8, T-22-S, R-2-W, thence continue East along the Section line a distance of 1 mile, to the NE corner of Sec. 9, T-22-S, R-2-W, thence continue East along the Section line a distance of 1 mile, to the NE corner of Sec. 10, T-22-S, R-2-W, thence continue East along the Section line a distance of $\frac{3}{4}$ mile to the NE corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec. 11, T-22-S, R-2-W, thence run South along the $\frac{1}{4}$ $\frac{1}{4}$ Section line, a distance of 1 mile to the NE corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec. 14, T-22-S, R-2-W, thence continue South along the $\frac{1}{4}$ $\frac{1}{4}$ Section line a distance of 1 mile, to the NE corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 23, T-22-S, R-2-W, thence continue South along the $\frac{1}{4}$ $\frac{1}{4}$ Section line a distance of 1 mile to the SE corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 23, and a point on the Freeman-Coffee Base Line, thence run West along said Base line to the NE corner of Sec. 1, T-24-N, R-13-E, thence run South along the Section line a distance of 1 mile to the SE corner of said Sec. 1, thence continue South along the Section line a distance of 1 mile to the SE corner of Sec. 12, T-24-N, R-13-E, to the point of beginning.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA SHELBY COUNTY

Personally appeared before me, Judge of Probate, in and for said county, Mildred Wallace, who being duly sworn according to law deposes and says that she is the publisher of the Shelby County Reporter, a newspaper published in said county, and that publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper 4 weeks consecutively, to wit in issues thereof dated as follows: June 22, 29, July 6, 13, 1961.

MILDRED WALLACE,
Publisher.

Subscribed and sworn to before me this 14 day of July, 1961.

CONRAD M. FOWLER,
Judge of Probate.

By Messrs. Shumate and Bevill (with notice and proof):

H. 1044. To provide for coverage of certain employees of Walker County under the Unemployment Compensation Act.

Local Legislation No. 1.

Notice and Proof H. 1044:

LEGAL NOTICE

A BILL
TO BE ENTITLED
AN ACT

To provide for coverage of certain employees of Walker County under the Unemployment Compensation Act.

Be It Enacted by the Legislature of Alabama:

Section 1. All words and phrases used in this Act shall be given the meaning ascribed to them in the Unemployment Compensation Act (Chapter 4 of Title 26, Code of Alabama, 1940), unless the context hereof plainly shows a different meaning.

Section 2. The court of county commissioners, board of revenue, or other like governing body of Walker County is authorized, directed, and required to cause to be covered under the Unemployment Compensation Act all employees whose compensation is paid from the county treasurer, except elected officials, and all employees of any agency or instrumentality of the county.

Section 3. Walker County shall pay into the unemployment compensation fund an amount equivalent to the amount of benefits paid out to claimants who during the applicable base period were paid wages by such county. If the claimant during such base period was employed both by such county and other employers subject to the provisions of the Unemployment Compensation Act, the amount paid into the fund by such county shall be an amount equal to the amount of benefits paid such claimant in addition to such amount as the claimant was entitled to receive on the basis of wages paid to such claimant by such other employees. The amount of payments required under this section to be made into the fund shall be ascertained by the Director of Industrial Relations as soon as practical after the end of each calendar quarter. The payment by such county into the fund shall be made quarterly or at such times and in such manner as the Director may determine and prescribe. The county governing body shall be required to maintain a record of social security account numbers issued to its employees.

Section 4. Insofar as practical, the provisions of the Unemployment Compensation Act relative to the coverage of employees shall apply to employees of Walker County.

Section 5. The provisions of this Act are supplemental and shall be construed in *pari materia* with the Unemployment Compensation Act for the purpose of providing benefits to employees of Walker County to the same extent as employees of employers to whom the Unemployment Compensation Act applies.

Section 6. This Act shall take effect on the first day of the second month following the date of its enactment.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. Margaret Phillips, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was bookkeeper of the Daily Mountain Eagle, a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 20, June 27, July 4, and July 11, all in the year 1961.

MARGARET PHILLIPS.

Sworn to and subscribed before me July 12, 1961.

FAY O'REAR,
Title Notary Public.

By Messrs. Cornett and Smith (Russell) (with notice and proof):

H. 1045. To provide for establishment and operation of a medical clinic in the municipality of Hurtsboro, Russell County.

Local Legislation No. 1.

Notice and Proof H. 1045:

NOTICE

STATE OF ALABAMA COUNTY OF RUSSELL

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To provide for establishment and operation of a medical clinic in the municipality of Hurtsboro, Russell County.

Be It Enacted by the Legislature of Alabama:

Section 1. The town council or commission of the municipality of Hurtsboro, Russell County, may in its discretion provide for establishment

and operation of a public medical clinic for citizens of the town, and may provide for any and all things necessary thereto, including the construction of a suitable building or buildings with offices, quarters, laboratories and equipment for use by doctors and nurses in the administration and operation of such clinic; and may lease or rent all or any part of any such building or buildings for use by doctors or dentists who are connected with the operation of such clinic.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF RUSSELL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Isabel A. Moses, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Publisher of the Phenix-Girard Journal, a newspaper of general circulation published in Russell County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 16th, June 23rd, June 30th and July 7th, all in the year 1961.

ISABEL A. MOSES,
Publisher.

Sworn to and subscribed before me July 10th, 1961.

NANETTE ADAMS,
Title Notary Public, State of Ala. at Large.

By Messrs. Bailey, Pierce, Goldthwaite and Goodwyn (with notice and proof):

H. 1046. To provide for the relief of George W. Dean by Montgomery County.

Local Legislation No. 1.

Notice and Proof H. 1046:

LEGAL NOTICE

To whom it may concern:

Notice is hereby given in accordance with Section 106 of the Constitution of Alabama that a local law affecting Montgomery County, in substance as follows, will be introduced in the Legislature of Alabama, and application for its enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for the relief of George W. Dean by Montgomery County.

Be It Enacted by the Legislature of Alabama:

Section 1. The Board of Revenue of Montgomery County is hereby authorized and directed to pay out of the Fine and Forfeiture Fund of the County to George W. Dean the sum of Eleven Hundred Fifty and 00/100th (1,150.00) Dollars as reimbursement in full for the amounts paid by him as forfeitures for the failure of Richard Thomas, W. I. Sumners, George Jefferson and P. B. Brewer to appear to stand trial, all of them having later been apprehended through their bondsmen.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

Montgomery, Alabama

STATE OF ALABAMA
MONTGOMERY COUNTY

Before me, T. A. HARDY, a Notary Public in and for the State and County aforesaid personally appeared Inez Woodson who first being duly sworn according to law deposes and says that: she is Bookkeeper for The Advertiser Company, publishers of The Montgomery Advertiser and that the attached advertisement appeared in said publication on June 20, 27, July 4, 11, 1961.

INEZ WOODSON.

Sworn to and subscribed before me this 11th day of July, 1961.

T. A. HARDY,
Notary Public Montgomery County Alabama.

By Messrs. Barnett and Long (Perry) (with notice and proof):

H. 1047. To levy additional special privilege license and excise taxes for public school purposes in School District Two of Perry County, such taxes to parallel the state sales and use taxes provided for in Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, and Article 11, Chapter 20, Title 51, Code of Alabama 1940, as amended and supplemented; to define the term School District Two as used in this Act; to provide for the collection of such taxes by the county governing body of Perry County, and for the custody, distribution and use of the proceeds thereof; to provide for the administration and enforcement of the Act; and to prescribe penalties.

Local Legislation No. 1.

Notice and Proof H. 1047:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF PERRY

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To levy additional special privilege license and excise taxes for public school purposes in School District Two of Perry County, such taxes to parallel the state sales and use taxes provided for in Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, and Article 11, Chapter 20, Title 51, Code of Alabama 1940, as amended and supplemented; to define the term School District Two as used in this Act; to provide for the collection of such taxes by the county governing body of Perry County, and for the custody, distribution and use of the proceeds thereof; to provide for the administration and enforcement of the Act; and to prescribe penalties.

Be It Enacted by the Legislature of Alabama:

Section 1. All words, terms, and phrases that are defined in Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, which levies a state sales tax, and in Article 11, Chapter 20, Code of Alabama 1940, as amended, shall, where used in this Act, have the meanings respectively ascribed to them in said Act No. 100 of August 18, 1959, and Article 11 of Chapter 20, Title 51, Code of Alabama 1940, as heretofore amended, except where the context herein clearly indicates a different meaning. In addition, the following words, terms, and phrases where used in this Act shall have the following respective meanings except where the context clearly indicates a different meaning:

"State sales tax statutes" means Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, enacted at the Special Session of the Legislature of Alabama that convened June 24, 1959, which levies a retail sales tax for state purposes, and includes all statutes, including amendments to said Act No. 100, heretofore enacted which expressly set forth any exemptions from the computation of the tax levied in said Act No. 100 and all other statutes heretofore enacted which expressly apply to, or purport to affect, the administration of said act and the incidence and collection of the tax imposed therein;

"State sales tax" means the tax imposed by the state sales tax statutes;

"State use tax statutes" means Article 11 of Chapter 20, Title 51, Code of Alabama 1940, as heretofore amended, including all statutes heretofore enacted which expressly set forth any exemptions from the computation of the tax levied in said Article 11 and all other statutes heretofore enacted which expressly apply to, or purport to affect, the administration of the said article and the incidence and collection of the tax imposed therein;

"State use tax" means the tax imposed by the state use tax statutes;

"Registered seller" means the person registered with the state department of revenue pursuant to the state sales tax statutes;

"Month" means the calendar month;

"Quarterly period" means the period of three months ending on the last day of each March, June, September, and December;

"Fiscal year" means the period commencing on October 1 of each calendar year and ending on September 30 of the next succeeding calendar year.

"School District Two" means all of Perry County except that part of the county included in the districts known as School District 35 or Union-town Beat and School District 36 or Pope's Beat.

Section 2. Effective October 1, 1961, there is hereby levied in School District Two, in addition to all other taxes of every kind now imposed by law, and shall be collected as herein provided, a privilege or license tax against the person on account of the business activities and in the amount to be determined by the application of rates against gross sales, or gross receipts, as the case may be, as follows:

1. Upon every person, firm, or corporation (not including the State of Alabama or the Alabama Alcoholic Beverage Control Board or ABC stores), engaged or continuing within School District Two in the business of selling at retail any tangible personal property whatsoever, including merchandise and commodities of every kind and character (not including, however, bonds or other evidence of debt or stocks), an amount equal to one percent of the gross proceeds of sales of the business except where a different amount is expressly provided herein. Any person engaging or continuing in business as a retailer and wholesaler or jobber shall pay the tax required on the gross proceeds of retail sales of such businesses at the rates specified, when his books are kept so as to show separately the gross proceeds of sales of each business, and when his books are not so kept he shall pay the tax as retailer, on the gross sales of the business.

2. Upon every person, firm, or corporation engaged or continuing within School District Two in the business of conducting or operating places of amusement or entertainment, billiard and pool rooms, bowling alleys, amusement devices, musical devices, theatres, opera houses, moving picture shows, vaudeville, amusement parks, athletic contests, including wrestling matches, prize fights, boxing and wrestling exhibitions, football and baseball games (including athletic contests conducted by or under the auspices of any educational institution, or any athletic association thereof, or other association whether such institution or association be denominational, a state, county, or a city school, or other institution, association, or school), skating rinks, race tracks, golf courses or any other place at which any exhibition, display, amusement, or entertainment is offered to the public or place or places where an admission fee is charged, including public bathing places, public dance halls of every kind and description, conducted or carried on within School District Two, an amount equal to one percent of the gross receipts of any such business.

There are exempted, however, from the provisions of this section and

from the computation of the amount of the tax imposed in this section the gross proceeds of the sale of machines and machinery used in mining, quarrying, compounding, processing, and manufacturing of tangible personal property, and the parts of such machines and machinery, attachments and replacements therefor which are made or manufactured for use on or in the operation of such machines, and which are necessary to the operation of such machines and machinery and are customarily so used; the gross proceeds of the sales of any automotive vehicle or truck trailer and semi-trailer; and the gross receipts of any business and the gross proceeds of all sales which are presently exempted under the state sales tax statutes from the computation of the amount of the state sales tax.

Section 3. An excise tax is hereby imposed on the storage, use, or other consumption in School District Two of tangible personal property purchased at retail, on or after October 1, 1961, for storage, use or other consumption in School District Two, at the rate of one percent of the sale price of such property.

There are exempted, however, from the provisions of this section and the tax imposed in this section the storage, use, or other consumption of any new or used automotive vehicle, truck trailer or semi-trailer; any machine or machinery used in mining, quarrying, compounding, processing and manufacturing of tangible personal property, including the parts of such machines or machinery, attachments and replacements therefor which are made or manufactured for use on or in the operation of such machines or machinery; and any other property, the storage, use, or other consumption of which is presently exempted under the state use tax statutes from the state use tax. Subject to these exemptions, every person storing or using or otherwise consuming in School District Two tangible personal property purchased at retail shall be liable for the tax imposed by this section, and the liability shall not be extinguished until the tax has been paid by such person as herein provided; provided, however, that a receipt from a registered seller given pursuant to Section 5 of this Act to the purchaser of any property to be used, stored or consumed in School District Two shall be sufficient to relieve the purchaser from further liability for a tax to which such receipt may refer.

Section 4. The taxes levied in Section 2 of this Act shall be due and payable in monthly installments on or before the twentieth day of the month next succeeding the month in which the tax accrues; and the taxes levied in Section 3 of this Act shall be due and payable quarterly on or before the twentieth day of the month next succeeding each quarterly period during which the storage, use, or other consumption of the tangible personal property became taxable hereunder, each such quarterly period to end on the last days of each of the months of March, June, September and December. All taxes levied in this Act shall be paid to and collected by the court of county commissioners, board of revenue or like county governing body of Perry County. On or prior to the due dates of the taxes herein levied each person subject to such taxes shall file with the county governing body a report or return in such form as may be prescribed by such governing body, setting forth, with respect to all sales and business that are provided in Section 2 hereof to be used as a measurement of the tax levied in said Section 2, a correct statement of the gross proceeds of all such sales and the gross receipts of all such business and setting forth, with respect to the tax levied in Section 3 hereof, the total sales price of all property, the use, storage, or other consumption of which became subject to the tax imposed by said Section 3 during the then preceding quarterly period; provided, however, that said report shall include also such other items of information pertinent to the said taxes in the amount thereof as such governing body

may require. Any person subject to the taxes levied in Section 2 hereof may defer reporting credit sales until after their collection, and in the event he so defers reporting them, he shall thereafter include in each monthly report all credit collections made during the month preceding, and shall pay the taxes due thereon at the time of filing such report.

Section 5. Every registered seller making sales of tangible personal property for storage, use, or other consumption in School District Two (which storage, use, or other consumption is not herein exempted from the tax imposed in Section 3 hereof) shall at the time of making such sale or, if the storage, use, or other consumption of such tangible personal property in School District Two is not then taxable under this Act, at the time such storage, use, or other consumption becomes taxable hereunder, collect the tax imposed by Section 2 of this Act from the purchaser, and shall give to the purchaser a receipt therefor in the manner and form prescribed by the county governing body. On the twentieth day of the month following the close of each quarterly period provided for in Section 4 hereof, each registered seller shall file with the county governing body a return for the preceding quarterly period in such form as may be prescribed by such governing body, showing the total sales of the tangible personal property sold by such registered seller, the storage, use, or other consumption of which became subject to the tax imposed by Section 3 of this Act during the then preceding quarterly period; and each return shall be accompanied by a remittance of the amount of the tax herein required to be collected by such registered seller during the period followed by the return; provided, that any registered seller may defer collecting the tax with respect to credit sales until collection of the proceeds of such sale and may defer reporting credit sales until after their collection, but shall thereafter collect the said taxes along with collection of said credit sales and shall include in each quarterly report all credit collections made during the preceding quarterly period, and shall omit the taxes with respect thereto at the time of filing such report or return. Any person who has paid to a registered seller the tax with respect to the use, storage, or other consumption of tangible personal property in School District Two need not file a report or make any further payment of the said tax, but each person who purchases tangible personal property, the storage, use, or other consumption of which is subject to the tax imposed by Section 3 of this Act and who has not paid the tax due with respect thereto to a registered seller, shall report and pay the tax as required by Section 4.

Section 6. Each person engaging or continuing within School District Two in a business subject to the taxes levied in Section 2 of this Act shall add to the sales price or admission fee and collect from the purchaser or the person paying the admission fee the amount due by the taxpayer on account of said taxes levied in said Section 2; and every registered seller shall likewise add to the sales price and collect from the purchaser the amount of any tax which such registered seller is required by Section 5 hereof to collect. It shall be unlawful for any person subject to the tax levied in said Section 2 to fail or refuse to add to the sales price or admission fee and to collect from the purchaser or person paying the admission fee the amount herein required to be so added to the sales or admission price and collected from the purchaser, and it shall likewise be unlawful for any person subject to said tax to refund or offer to refund all or any part of the amount so collected or to absorb or advertise directly or indirectly the absorption or refund of said tax or any portion thereof. It shall likewise be unlawful for any registered seller to fail or refuse to add to the sales price and to collect from the purchaser the amount of the tax imposed by Section 3 of this Act or to refund or offer to refund or absorb, or to advertise directly or indirectly the absorption of, said tax or any portion thereof.

Section 7. The taxes imposed by this Act shall constitute a debt due Perry County and may be collected by civil suit, in addition to all other methods provided by law and in this Act. The said taxes, together with interest and penalties with respect thereto, shall constitute and be secured by a lien upon the property of any person from whom said taxes are due or who is required to collect said taxes. All provisions of the revenue laws of this state applying to or with reference to the enforcement of liens for license taxes due to the State of Alabama shall apply fully to the collection of the taxes levied herein, and the county governing body of Perry County shall have the power and authority to collect and enforce such taxes.

Section 8. The county governing body of Perry County shall promulgate and adopt rules and regulations necessary for the enforcement and collection of the tax levied herein; and it may contract with the State Department of Revenue, or the Commissioner thereof, for the state department to collect and enforce the tax.

Section 9. The revenue derived from the tax herein levied, less the expenses incurred for collecting such revenue shall be remitted to the custodian of the county school funds who shall deposit the revenue derived from the taxes levied herein in a special account separate and apart from other public school funds of the county and shall maintain separate records of such special account.

Section 10. The proceeds from the taxes levied in this Act shall be used by the county board of education of Perry County solely for educational purposes in School District Two.

Section 11. The levy of taxes herein made shall terminate at midnight September 30, 1967. When the levy of taxes herein made terminates, all of the provisions of this Act pertaining to the payment and collection of the taxes herein levied, the making of reports and maintenance of records with respect thereto, and in general the enforcement of this Act shall thereafter continue to be effective with respect to the taxes herein levied that shall have accrued hereunder prior to such termination date.

Section 12. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 13. This Act shall become effective on October 1, 1961.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF PERRY

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. M. Wallace, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Marion Times-Standard, a newspaper of general circulation published in Perry County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 22, June 29, July 6, and July 13, all in the year 1961.

J. M. WALLACE,

Sworn to and subscribed before me July 13, 1961.

MYRON HOLIFIELD,
Title Notary Public.

By Messrs. Barnett and Long (Perry) (with notice and proof):

H. 1048. To raise revenue for educational purposes in the school districts known as District 35 or Uniontown Beat, and District 36 or Pope's Beat, in Perry County; to provide an excise tax in such districts on bottled soft drinks; and to provide for the collection and administration of such tax.

Local Legislation No. 1.

Notice and Proof H. 1048:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF PERRY

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To raise revenue for educational purposes in the school districts known as District 35 or Uniontown Beat, and District 36 or Pope's Beat, in Perry County; to provide an excise tax in such districts on bottled soft drinks; and to provide for the collection and administration of such tax.

Be It Enacted by the Legislature of Alabama:

Section 1. The following words, terms and phrases, when used in this act shall have the meanings ascribed to them in this section, unless a different meaning is clearly indicated:

"Bottled Soft Drinks." Bottled soft drinks, as referred to in this act, shall include any and all non-alcoholic beverages, whether carbonated or not, such as soda water, ginger ale, coca cola, lime cola, pepsi cola, Dr. Pepper, fruit juice when any plain or carbonated water, flavoring or syrup is added, milk drinks when any flavoring or syrup is added, carbonated water, orangeade, lemonade, root beer, or any and all preparations commonly referred to as soft drinks of whatsoever kind, which are closed and sealed in glass, metal, paper, or any other type of container or bottle, and are further described to include any and all beverages commonly referred to as "soft drinks," which are manufactured, with or without the use of any syrup. The term "Bottled Soft Drinks" shall not include natural undiluted fruit juice, vegetable juice, or fluid milk (not powdered or reconstituted) to which flavoring alone is added, constituting a product containing not less than two and one-half (2½) percentum butterfat when bottled, closed or sealed.

"Bottler." A person engaged in manufacturing, bottling, preparing for market, or segregating in sealed containers any soft drink.

"Distributor." Any person engaged in the purchase for resale of bottled soft drinks in original containers, or bottles, as prepared for market.

"Stamps." The impression, device, stamp, label or seal, manufactured or printed, as prescribed by the board by use of which the tax imposed or assessed hereunder, is paid.

"Crown." The crown or crowns by the use of which the tax imposed or assessed hereunder is paid.

"Original Container." Bottle, cask, keg, receptacle, can, carton, or other container that has been securely capped, sealed, crowned, or corked by the manufacturer or bottler.

"Board." The board of revenue, or other governing body of Perry County, Alabama.

"Sale." Any transfer for consideration, exchange, barter, gift, offer for sale and distribution in any manner or by any means whatsoever.

Section 2. (a) On or after the effective date of this act it shall be unlawful for any person to continue to engage in, or thereafter to begin to engage in, the manufacture, bottling, or the distribution of bottled soft drinks within the school districts known as School District 35 or Uniontown Beat, and School District 36 or Pope's Beat in Perry County, hereafter designated as districts 35 and 36, unless he holds a valid bottled soft drink permit, issued to him as hereinafter prescribed, and the stamps or crowns, hereinafter prescribed are affixed to each bottled soft drink bottled or distributed by him.

(b) Every person desiring to continue to engage in, or hereafter to begin to engage in, the manufacture, bottling, or distribution of bottled soft drinks within districts 35 and 36 of Perry County shall file an application for a bottle soft drink permit with the clerk of the board. The application shall be made upon a form prescribed by the board, and shall set forth the name under which the applicant transacts or intends to transact business, and the location of his place of business. If the applicant has or intends to have more than one place of business the application shall state the location of each place of business. If the applicant is an association, the application shall set forth the names and addresses of the persons constituting the association, and if a corporation, the names and addresses of the principal officers thereof, and any other information prescribed by the board for purposes of identification. The application shall be filed by the owner, if a natural person, and in the case of an association, by a member or partner thereof, and in the case of a corporation by an executive officer thereof, or some person specifically authorized by the corporation to file the application to which shall be attached the written evidence of his authority.

At the time of making such application the applicant shall pay to the clerk of the board a permit fee of one dollar (\$1.00) for each permit.

Upon the approval of the application and the payment of the permit fee, or fees herein required, the clerk shall grant and issue to the applicant a

soft drink permit for each place of business as set forth in his application. Such permit shall not be assignable and shall be valid only for the person in whose name it is issued, and for the transaction of business at the places designated therein and shall at all times be conspicuously displayed at the places for which issued.

Permits shall expire on the thirtieth day of September next succeeding the date upon which they were issued unless sooner suspended, surrendered, or revoked for cause by the board.

(c) Permits issued under the provisions of this act may be renewed annually before the first day of October upon application made to the clerk of the board and the payment of a renewal fee of one dollar (\$1.00).

Whenever any permit issued under the provisions of this act is defaced, destroyed, or lost, the clerk may issue a duplicate permit to the holder of the defaced, destroyed, or lost permit, upon the payment of a fee of fifty cents (50c).

(d) The board may suspend, or after a hearing revoke, a permit whenever advised that the holder thereof has failed to comply with any of the provisions of this act, or any rules or regulations of the board prescribed, adopted and promulgated under this act. Upon suspending or revoking any permit the board shall require the holder thereof to surrender to it immediately all permits or duplicates thereof issued to him. Whenever the board suspends a permit it shall notify the holder immediately, and afford him a hearing, if desired and if a hearing has not already been afforded. After such hearing the board shall either rescind its order of suspension or, good cause appearing therefor, shall continue the suspension or revoke the permit.

Section 3. Each manufacturer, bottler and distributor shall be liable to the County of Perry for the excise tax imposed by this section upon the producing, preparing, manufacturing, segregating, or distributing in districts 35 and 36 of the county of all bottled soft drinks, and such tax shall be paid before such products are consumed, transported, sold or offered for sale within districts 35 and 36. Nothing herein shall be construed to require the payment of the tax more than once on the same bottle or other container of soft drinks. Such excise tax shall be measured at the rate of one cent (1c) per twelve (12) fluid ounces, or fraction thereof for bottled soft drinks.

Section 4. (a) The payment of the taxes herein provided shall be evidenced by the affixing of bottled soft drink tax stamps or crowns, to the original containers or bottles in which soft drinks are placed, received, stored, shipped or handled. Such stamps or crowns shall be affixed to each individual container or bottle by the manufacturers, bottlers or distributors before the same are used, sold or transported within districts 35 and 36 for use, sale, delivery, storage or consumption therein. Nothing herein contained shall require stamps or crowns to be attached to containers, or bottled soft drinks, which are transported through such districts and which are not consumed, sold, delivered or stored therein, if transported in accordance with such rules and regulations as may be adopted by the board.

The provisions of this section with reference to the stamping or crowning of bottled soft drinks shall not apply to bottled soft drinks to which stamps or crowns have been once affixed, as required herein, regardless of how often the soft drinks in their original containers or bottles may be sold or resold within districts 35 and 36.

(b) It is the intent and purpose of this section to require all manufacturers, bottlers, distributors and other persons, except as provided in subsection (a), to affix the stamps or crowns provided for in this act, to all original containers or bottles in which soft drinks are normally placed, prepared for market, received, sold, or handled, before such products are sold or transported within such districts.

(c) If it is established to the satisfaction of the board that due to economic conditions, or due to existing stocks of unstamped crowns in the possession of manufacturers or bottlers on the effective date of this act, or due to unavailability of material, it is impractical to use soft drink tax crowns or stamps, the board may provide by regulation some other means of evidence of payment of the tax imposed by this act.

(d) Except as provided in subsection (c), above any manufacturer, bottler or person, who shall prepare, manufacture, sell or use bottled soft drinks in districts 35 and 36 without affixing to the original containers or bottles the stamps or crowns required by this act, and any person who shall purchase, receive, transport, store, or sell in such districts any bottled soft drinks to which the stamps or crowns required by this act are not affixed, shall be guilty of a misdemeanor.

Section 5. (a) If any person shall fail to pay any tax imposed by this act for which he is liable, the board may make an assessment of additional tax due by such person based upon any information within its possession or that shall come into its possession.

(b) Promptly after the date of such assessment the board shall send by registered mail a copy thereof to the person against whom it was made. Within thirty (30) days after the date upon which the copy of any such assessment was mailed, such person may file with the board a petition for reassessment of such taxes. Every petition for reassessment shall state specifically the reasons which the petitioner believes entitled him to such reassessment, and it shall be supported by affidavit that it is not made for the purpose of delay and that the facts set forth therein are true. It shall be the duty of the board, within three (3) months after the date of any assessment, to dispose of any petition for reassessment. Notice of the action taken upon any petition for reassessment shall be given to the petitioner promptly after the date of reassessment by the board.

(c) Any person aggrieved by the decision of the board or by the board's failure to act upon his petition for reassessment within six (6) months, may, within sixty (60) days, appeal to the circuit court of the county from the decision of the board in the manner now or hereafter provided by law for appeals in the case of tax settlement.

(d) In all cases of petitions for reassessment, review or appeal, the burden of proof shall be upon the petitioner, or appellant, as the case may be.

(e) Whenever any assessment of additional tax is not paid within ninety (90) days after the date thereof, if no petition for reassessment has been filed, or within sixty (60) days from the date of reassessment, if no appeal has been made, and, in all cases of judicial sales, receiverships, assignments, or bankruptcies, the board may proceed to collect such assessment. In such event in a proceeding for the collection of such taxes the person against whom they were assessed shall not be permitted to set up any ground of defense that might have been determined by the board, or the court as afore-

said. The board may also provide, adopt, promulgate and enforce, such rules and regulations as may be appropriate to prevent further shipment or transportation of bottled soft drinks into districts 35 and 36 by any person against whom such unpaid assessment shall have been made.

Section 6. The board shall prescribe, prepare and furnish stamps or crowns of such denominations and quantities as may be necessary for the payment of the tax imposed and assessed by this act. The board shall make provision for the sale of such stamps or crowns in such places and at such times as it may deem necessary.

The board may appoint persons within or without districts 35 and 36 as agents for the sale of stamps or crowns to be used in paying the tax herein imposed, and whenever the board shall sell, consign, or deliver to any such agent any such stamps or crowns for sale or use, such agent shall be entitled to receive as compensation for his services and expenses as such agent and to retain out of the moneys to be paid by him for such stamps, a commission of one-half of one percentum on the face value thereof. The board may allow such commission or compensation in the settlement of the accounts of such agent upon payment by him into the county treasury, through the board, of any moneys which may be or become due to districts 35 and 36 by reason of the sale, delivery or consignment to such agent of such stamps or crowns.

The board may allow to each purchaser of tax stamps, or tax crowns, a discount of eight (8) percentum of the purchase price of the tax value of stamps or crowns purchased upon the payment by him into the county treasury, through the board, of any moneys due to districts 35 and 36 by reason of the sale, delivery or consignment to such purchaser of such stamps or crowns.

The said discount shall be allowed by the board in lieu of any claim for refund by reason of, (1) the breakage or destruction of containers, stamped or crowned, as provided in this act, in possession of the purchaser, or (2) the loss or destruction of tax stamps or tax crowns.

The board may, in proper cases and upon application, advance to manufacturers and bottlers of soft drinks tax crowns or tax stamps, for a period not exceeding seventy-five (75) days, in such amount, or of such tax value, as shall be determined by the board upon consideration and determination of the following: (1) the applicant's satisfactory credit rating, (2) the applicant's average monthly rate of use of stamps or crowns, and (3) the applicant's average monthly credit extension on accounts receivable for bottled soft drinks sold. The board shall further require the applicant to file a bond in the form prescribed by the board in twice the amount of the tax value of the stamps or crowns to be advanced.

Section 7. Stamps shall be affixed in such manner as shall be prescribed by regulations adopted and promulgated by the board.

Section 8. The board or any agent appointed in writing by it is hereby authorized to examine the books, papers, invoices and other records, and the stock of bottled soft drinks in and upon any premises where the same are placed, stored or sold and in or on any car, vessel, truck, vehicle, or other means of transportation, to verify the payment of or liability for the tax imposed by this act. Any person in possession of such bottled soft drinks is hereby directed and required to give to the board, or its duly authorized

representative, the means, facilities and opportunities for such examination. The board, or any of its duly authorized agents, is hereby authorized to confiscate any bottled soft drinks stored, sold, or transported in violation of the provisions hereof.

Section 9. Producers, manufacturers, bottlers or other vendors of bottled soft drinks from without districts 35 and 36 shall purchase stamps or crowns from the board and affix them in the manner prescribed by the board to original containers or bottles of soft drinks to be sold, delivered or transported for delivery in such districts.

Section 10. (a) In case any bottled soft drinks upon which stamps or crowns have been placed by a manufacturer or bottler have been sold or shipped by him to a licensed or regular dealer in bottled soft drinks in another district, such manufacturer or bottler shall be entitled to a refund of the actual amount of tax paid by him upon condition that the seller shall make affidavit that the bottled soft drinks were so sold and shipped, and that he shall furnish from the purchaser, if a distributor, an affidavit, or in cases where the total purchase price is five dollars (\$5.00) or less, or where the purchaser is a retailer, a written certificate in lieu of an affidavit, or upon satisfactory proof that such affidavit or certificate cannot be obtained, other evidence satisfactory to the board that he has received such bottled soft drinks for sale or consumption outside the district, and the amount of stamps or crowns thereon, together with the name and address of the purchaser.

(b) In case any bottled soft drinks upon which stamps or crowns have been placed by a manufacturer or bottler have been destroyed by fire, flood or disaster, he shall be entitled to a refund of the actual amount of tax paid by him upon condition that he shall make affidavit that such bottled soft drinks were so destroyed, and shall also furnish the board with such other proof as the board shall require. In each of the above cases, the board shall issue to the manufacturer or bottler stamps or crowns of sufficient value to cover the refund. The procedure for refund in any case shall be completed by the board within ninety (90) days after the proper affidavits have been filed with the board.

(c) The provisions contained in this section shall constitute the exclusive grounds for refund of taxes actually paid by the taxpayer under the provisions of this act.

Section 11. The board may promulgate rules and regulations to relieve manufacturers or bottlers from affixing the stamps or crowns on such goods as are sold and shipped to points outside the districts.

Section 12. (a) Except as otherwise provided in this act, it shall be unlawful for any person to accept delivery of bottled soft drinks, as defined in this act, in containers or bottles upon which stamps or crowns are not affixed and perforated or cancelled in the manner prescribed by the regulations of the board. Such acceptance shall be a misdemeanor, and upon conviction thereof, such person shall be fined ten dollars (\$10.00) for each container or bottle so accepted, and in default of payment thereof shall undergo imprisonment for not more than five (5) days for each container or bottle so accepted. Possession of bottled soft drinks in containers or bottles upon which stamps or crowns are not affixed and perforated or cancelled in the manner prescribed by the regulations of the board shall be prima facie evidence of violation of this section.

(b) Any manufacturer, bottler, distributor or other person, who or which, is not a holder of a permit or permits as required by this act, and who or which, engages in the preparation, manufacture, bottling, sale, distribution or transportation of bottled soft drinks in districts 35 and 36 is guilty of a misdemeanor.

(c) Any person who shall fail, neglect or refuse to comply with, or shall violate any provisions of this act for which violation no specific penalty is provided, or any of the rules and regulations prescribed, adopted and promulgated by the board under the provisions of this act, or who shall refuse to permit the board or any agent appointed by it in writing to examine his books, papers, invoices and other records, his stock of bottled soft drinks in and upon any premises where the same are prepared, manufactured, bottled, stored and sold in or on any car, vessel, truck, vehicle, or other means of transportation, and his equipment pertaining to the manufacture, transportation, storage or sale of bottled soft drinks as defined in this act, shall be guilty of a misdemeanor.

(d) Any person who falsely or fraudulently makes, forges, alters or counterfeits any stamp or crown prescribed by the board, under the provisions of this act, or causes or procures to be falsely or fraudulently made, forged, altered, or counterfeited any such stamp or crown or who knowingly and wilfully utters, publishes, passes or tenders as true, any such false, altered, forged or counterfeited stamp or crown with intent to utter, publish, pass or tender, such stamp or crown as true, or who uses more than once any stamp or crown, provided for and required by this act, for the purpose of evading the tax hereby imposed and assessed, shall be guilty of a felony and shall be punished by imprisonment for not less than two years.

Section 13. The board is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe, adopt, promulgate and enforce, rules and regulations, relating to any matter or thing pertaining to the administration and enforcement of the provisions of this act, and the collection of taxes imposed by this act.

The board may prescribe, adopt, promulgate and enforce rules and regulations relating to the transportation of bottled soft drinks through districts 35 and 36 and from points outside such districts to points within such districts and prescribe, adopt, promulgate and enforce rules and regulations reciprocal to those of, or laws of any other state or territory, affecting the transportation of bottled soft drinks, manufactured in this State.

Section 14. The revenue derived from the tax herein levied, less the expenses incurred for collecting such revenue shall be remitted to the custodian of county school funds, who shall place such fund in a special account. Such fund shall be spent by the county board of education for educational purposes as authorized by law within districts 35 and 36 only.

Section 15. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 16. All laws or parts of laws which conflict with this act are repealed.

Section 17. This act shall become effective October 1, 1961 and cease to be effective September 30, 1967.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF PERRY

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. M. Wallace, who, being by me first duly sworn, deposes and says that during the time herein mentioned he was Editor of the Marion Times-Standard, a newspaper of general circulation published in Perry County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 22, June 29, July 6, and July 13, all in the year 1961.

J. M. WALLACE.

Sworn to and subscribed before me July 13, 1961.

MYRON HOLIFIELD,
Title Notary Public.

By Mr. Bishop:

H. 1049. To propose an amendment to the Constitution relative to the levy and collection of a special property tax for educational purposes in the city of Muscle Shoals.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Johnson (J. T. Tom) to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 955, was adopted.

And the bill:

H. 955. To direct and require the commissioner of revenue and the state department of revenue to collect any sales and use taxes now or hereafter levied in the City of Dadeville, Tallapoosa County, Alabama, and its police jurisdiction, under the provisions of any ordinance or resolution duly promulgated and adopted by the governing body of said city; to prescribe powers, duties and authority of the commissioner of revenue, the state department of revenue, and the comptroller with respect to the method of procedure for collecting such taxes and remitting the proceeds thereof.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Dodd	Hearn	Perry
Adams	Dunn	Ingram	Phillips
Avery	Edwards	Johnson (Hardaway)	Pierce
Bailey	Engel	Johnson (J. T. Tom)	Pruitt
Barnett	Faulk	Johnston (Leonard)	Ramey
Bassett	Franklin	Jones (Covington)	Rast
Bevill	Gilmer	Lee	Roberts
Bishop	Glass	Locke	Rogers
Boyd	Goldthwaite	Long (Perry)	Rozelle
Branyon	Gordon	McClendon (Chambers)	Sessions
Britton	Grant	McCorquodale	Shumate
Brooks	Gross	Martin	Solomon
Cabiness	Grouby	Meade	Speaks
Callahan	Guthrie	Merrill	Steagall
Camp	Hain	Morrow	Sullivan
Cates	Hankins	Murphy	Taylor
Chambers	Hardy	Nettles	Thomas
Copeland	Harris	Nichols	Turner
Daniel	Harvey	Oakley	Vickers
Dickson	Hawkins	Owens	

—79

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Smith (Russell) to suspend the rules in order to allow the Standing Committee on Local Legislation No. 1 to report out of order was adopted.

REPORT OF STANDING COMMITTEE ON LOCAL LEGISLATION NO. 1

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 926. For the relief of C. F. Simmons, former sheriff of Jackson County, Alabama, to authorize the said C. F. Simmons to re-register existing claims against the Jackson County Fine and Forfeiture Fund.

H. 960. To alter, rearrange, and extend the corporate limits of the City of Anniston in Calhoun County, from time to time, whenever the Board of Commissioners of the City of Anniston shall pass a resolution to the effect that the public good requires such alteration, rearrangement, and extension, and providing for an election to determine whether any such alteration, rearrangement, and extension of the corporate limits of the City of Anniston, Alabama, shall be made.

H. 961. To alter, rearrange, and extend the corporate limits of the City of Anniston in Calhoun County, Alabama, so as to annex certain territory to said City.

H. 962. To provide for the collection, preservation, and safekeeping of certain items of historical value in DeKalb County and for this purpose creating and providing for the organization, powers, duties, and authority of the historical commission of DeKalb County and prescribing the qualifi-

cations and term of members thereof; to name the first members of the commission and provide for the appointment of their successors; to provide that certain expenses relative to effectuating this act shall be borne by DeKalb County; and to direct the county governing body to perform certain duties.

H. 963. To provide for the compensation of deputies of the sheriffs in all counties having populations of not less than 25,500 nor more than 25,700, according to the 1960 or any subsequent federal decennial census.

H. 964. To amend further Act No. 115, H. 409, Regular Session 1949, an act levying in Marion County additional special privilege or license taxes and excise taxes equaling fifty percentum of and otherwise paralleling state sales and use taxes (Acts 1949, p. 139), so as to provide further for the use of the proceeds of such taxes, to provide for the expiration of the taxes levied, and to require that all revenue derived from such taxes shall be set aside and kept separate and apart in a sinking fund for the payment of the principal of and interest on any county hospital bonds or warrants issued before January 1, 1960.

H. 965. To provide additional revenue for educational purposes in Monroe County; authorizing the court of county commissioners, board of revenue, or like county governing body, to levy, when approved at a referendum election, special county privilege license and excise taxes paralleling, at lower rates, state sales and use taxes as provided for in Act No. 100, H. 94, approved August 18, 1959, and in Article 11 of Chapter 20, Title 51, Code of Alabama 1940, as heretofore amended and supplemented; providing for collection and enforcement of such taxes by the state department of revenue.

H. 966. To alter and re-arrange the boundaries and corporate limits of the City of Athens, Limestone County.

H. 967. To provide compensation for commissioners of The Selma Housing Authority for performance of certain duties.

H. 968. To propose an amendment to the Constitution relating to the levy and collection of special property taxes for educational purposes in the territory subject to the jurisdiction and control of the City Board of Education of Tuscaloosa and in the territory of Tuscaloosa County.

The above bill was read a second time at length as required by the Constitution.

H. 969. Relative to cities in the State having a population of not less than 60,000 people nor more than 70,000 people, according to the last or any subsequent federal decennial census; providing for a commission form of government for such cities and making provisions for the election of the chairman of the commission board and two associate commissioners; providing for the time and manner of calling and of holding such election and providing for filing of a statement of candidacy therefor; providing for the filling of vacancies; providing for a commission board and its powers and authorities; providing for the distribution of functions of the city into three divisions, and for the duty of each commissioner with respect to said divisions; providing that the chairman of the commission board shall devote his full time to the duties of his office, and that each associate commissioner shall devote such time daily as may be necessary to perform the du-

ties of his office; providing for the salary of the chairman and of each associate commissioner; providing that such of the provisions of Article 1, Chapter 4, Title 37 of the Alabama Code of 1940, as amended or as the same is hereafter amended, as are not inconsistent with the provisions of this act, shall apply to and govern the city after it shall become organized according to the provisions of this act; providing for the election of a recorder; providing that the existing government in any such city continue in force until the commissioners elected pursuant to this act qualify and take office; and providing for the repeal of all laws, whether general, special or local, in direct conflict with the provisions hereof.

H. 970. Relating to counties having populations of not less than 36,600 nor more than 37,800 according to the 1960 or any subsequent federal decennial census; providing that the circuit court clerk shall not be entitled to receive from the fine and forfeiture fund any fee for services rendered in any case which is not proessed or otherwise dismissed.

H. 972. To amend further Section 3 of Act No. 361, H. 878, Regular Session 1939, an act fixing the compensation or salary to be paid the tax assessor of Morgan County and providing clerical assistance for his office (Local Acts of Alabama 1939, p. 248).

H. 973. To amend further Section 1 of Act No. 68, H. 263, Regular Session 1947, an act providing for the appointment of a deputy register for the circuit court of Morgan County (Local Acts of Alabama 1947, p. 51).

H. 974. To amend Section 11 of the act of the Legislature of Alabama, approved March 9, 1939, by which the Board of Revenue and Control of Morgan County, Alabama, was created, being Act No. 129 of the regular session of the Legislature of Alabama of 1939, (Local Acts 1939, page 70 et seq.), as amended by Act No. 291, Local Acts 1943, page 172, approved June 28, 1943.

H. 975. To abolish the office of commissioner of public schools of Morgan County and re-establish the office of county superintendent of education; repealing Act No. 88, H. 155, 1st Special Session 1956 and all conflicting laws.

H. 976. Fixing the compensation of the chairman of the board of revenue, court of county commissioners or other like county governing body in all counties having populations of not less than 57,000 nor more than 61,500 inhabitants according to the 1960 or any subsequent federal decennial census.

H. 977. To amend further Section 4 of Act No. 70, H. 336, Regular Session 1943, an act placing the judge of probate of Morgan County on a salary basis and providing for clerical assistance (Local Acts of Alabama 1943, p. 34).

H. 978. To amend further Section 1 of Act No. 64, H. 259, Regular Session 1947, an act providing for the appointment of a deputy clerk for the circuit court of Morgan County (Local Acts of Alabama 1947, p. 45).

H. 979. To amend further Section 3 of Act No. 464, H. 875, Regular Session 1939, an act fixing the compensation or salary to be paid the tax collector of Morgan County and providing him clerical assistance (Local Acts of Alabama 1939, p. 278).

H. 980. To amend Act No. 477, H. 861, Regular Session 1955 titled "An Act to provide an additional expense allowance for the circuit judges of the Eighth Judicial Circuit; and to provide for the manner of payment of this allowance" (Acts 1955, vol. II, p. 1084).

H. 981. To authorize the closing and occupancy by The First National Bank of Mobile, its successors or assigns, in the City of Mobile, Alabama, of the alleyways separating the Old Customs House Building, at the southwest corner of Royal Street and St. Francis Street, on the south from The First National Bank of Mobile Building, and on the west from The First National Bank of Mobile Annex Building, and to vacate a Declaration of Use For Alleyway Purposes executed by the City of Mobile to the Public June 28, 1939, and to vacate and surrender all rights, easements, restrictions or covenants inconsistent with this Act.

H. 984. To alter and re-arrange the boundaries of the town of Centreville, Bibb County, so as to annex certain territory to the town.

H. 985. To regulate further teacher tenure and status in the public schools of Perry County, granting the county board of education plenary and exclusive power relative to teacher tenure and status in the County, and repealing as to Perry County inconsistent provisions of Code 1940, Title 52, Chapter 13, as amended or supplemented.

H. 986. Relating to DeKalb County; providing further for the DeKalb County Commission, providing for the qualifications, elections, terms, powers, duties, authority and compensation of its members; providing for additional duties of the County Commission relating to the requisitioning and purchasing of books, stationery, supplies, printing and printed matter, blanks, forms, machinery, equipment, tools, materials and contractual services needed by such county officials, offices and departments; and fixing the time of meetings of the commission.

H. 987. To amend Sections No. 2 and No. 7, of Act Number 636, Regular Session of the Legislature of Alabama, approved September 25, 1957.

To create an inferior Court, to be known as the DeKalb County Inferior Court of DeKalb County, Alabama with the power of justice of the Peace; to prescribe the jurisdiction, authority, powers and duties of said Court and Officers thereof; To provide rules and procedures of said Court; To provide that the DeKalb County Commission shall provide quarters and supplies for said Court; and to provide for the execution of process and operation of said Court:

H. 988. To permit any bank located in Cherokee County, Alabama, to establish in the municipal limits of Centre, Alabama, one branch bank, branch agency, additional office, or branch place of business in addition to all other branches, agencies, offices or places of business authorized by law, subject to the approval of the State Superintendent of Banks.

H. 990. To amend further Code of Alabama 1940, Title 1, Section 14, which relates to the reclassification date for laws based on population.

H. 991. To amend Section four (4) of an Act of the Legislature approved March 23, 1955, entitled: An Act; To establish in Mobile County, Alabama, the positions of Administrative Assistant to the Circuit Solicitor

of the Thirteenth Judicial Circuit of Alabama and Legal Stenographer to the Circuit Solicitor of the Thirteenth Judicial Circuit of Alabama; to prescribe their duties; to fix their term of employment and to prescribe their compensation and provide for the payment of their compensation out of the General Fund of Mobile County, Alabama.

H. 992. To amend further Section VIII of the act approved September 15, 1939, creating and establishing the Personnel Department of Mobile County (Act No. 470, H. 952, Local Acts 1939, p. 298); to provide for the qualifications, salary and duties of the Personnel Director, to provide for the retirement of the Personnel Director and to prescribe the terms and conditions of such retirement.

H. 993. To amend Section 3 of Act No. 34, H. 225, Special Session 1932, approved September 24, 1932 (Local Acts, Extra Session 1932, p. 13), an act to provide for the election of a county superintendent of education by the qualified electors of Clarke County, in relation to the qualifications of the county superintendent of education.

H. 994. To repeal Act No. 396, S. 550, approved August 16, 1949, entitled "To provide for the proportion of contribution by counties and incorporated municipalities therein to the budget of a county health department in all counties in this State having a population exceeding 100,000, and not exceeding 140,000 inhabitants, according to the latest Federal Census, or which shall hereafter have such population, according to any such census that may hereafter be taken." (Acts of Alabama 1949, page 567.)

H. 995. To provide for the proportion of contribution by counties and incorporated municipalities therein to the budget of a county health department in all counties in this State having a population exceeding 150,000, and not exceeding 300,000 inhabitants, according to the latest Federal Census, or which shall hereafter have such population, according to any such census that may hereafter be taken.

H. 996. To alter or rearrange the boundary lines of the Town of Faunsdale, Marengo County, Alabama so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory contiguous thereto, in Marengo County, Alabama.

H. 997. To repeal Act No. 48, H. 62, approved April 8, 1955, entitled "An Act to apply in all counties having a population of not less than 47,500 nor more than 52,500, according to the last or any subsequent federal decennial census; regulating further the office of county solicitor in such counties; imposing extra, new, and additional duties upon such officer, and providing further for his compensation," (Acts of Alabama 1955, vol. I, p. 158).

H. 998. To repeal Act No. 165, H. 30, approved June 29, 1951, entitled, "An Act to provide additional clerks for the tax assessor and the tax collector in all counties having a population of not less than 47,000 nor more than 51,000 according to the most recent federal census, making the Act retroactive" (Acts of Alabama 1951, vol. 1, p. 403).

H. 999. To repeal Act No. 446, H. 935, approved November 13, 1959, entitled, "An Act to provide for the compensation of the deputies or clerks of the tax assessors and tax collectors of all counties having a population

of not less than 47,000 nor more than 51,000, according to the most recent federal decennial census" (Acts of Alabama 1959, vol. II, p. 1140).

H. 1000. To repeal Act No. 47, H. 61, approved April 8, 1955, entitled, "An Act to apply in all counties having a populatio of not less than 47,500 nor more than 52,500 inhabitants, according to the last or any subsequent federal decennial census; providing for the appointment of a deputy clerk of the circuit court of such counties; prescribing the duties, powers, and authority of such deputy, fixing his compensation and designating the method of payment and the fund from which such compensation shall be paid" (Acts of Alabama 1955, vol. I, p. 157).

H. 1002. For the relief of John Morris, Huntsville, of Madison County; authorizing the board of county commissioners, board of revenue, or other like governing body of Madison County to make an appropriation of county funds to compensate John Morris for certain damages.

H. 1003. To amend Act No. 401, H. 838, Regular Session 1949, an act authorizing the board of registrars of Madison County to employ a full time clerk (Acts of Alabama, Regular Session 1949, p. 573).

H. 1004. For the relief of J. Wheeler Vann, Rt. 4, Huntsville, of Madison County; authorizing the board of county commissioners, board of revenue, or other like governing body of Madison County to make an appropriation of county funds to compensate J. Wheeler Vann for certain damages.

H. 1005. For the relief of Robert Mathias, 2000 Stamford Drive, Huntsville, of Madison County; authorizing the board of county commissioners, board of revenue, or other like governing body of Madison County to make an appropriation of county funds to compensate Robert Mathias for certain damages.

H. 1006. For the relief of Donnie C. Watts, Box 55, Blanche, Tennessee; authorizing the board of county commissioners, board of revenue, or other like governing body of Madison County to make an appropriation of county funds to compensate Donnie C. Watts for certain damages.

H. 1007. Relating to Madison County; authorizing the county governing body to offer rewards for information leading to the arrest and conviction of any person, firm or corporation violating any law prohibiting the dumping of garbage, litter or trash.

H. 1009. To permit banks now or hereafter having a combined paid-in capital and paid-in or earned surplus of more than one million dollars and situated in counties having populations according to the 1960 or any subsequent decennial census of the United States of not less than 100,000 inhabitants nor more than 160,000 inhabitants, to establish, maintain, or operate new branches or branch banks, branch offices, branch agencies, additional offices or branch places of business within the limits of such county in which said bank is situated, for the receipt of deposits, payment of checks, lending of money, and the conduct of a general banking and trust business, by and with the written consent of the State Superintendent of Banks.

H. 1010. To provide for the payment of an expense allowance to members of the board of revenue, court of county commissioners, or other like governing body, other than the chairman or president thereof, of any coun-

ty in the State having a population of not less than 100,000 nor more than 115,000 inhabitants, according to the 1960 or any subsequent federal decennial census.

H. 1011. To repeal Act No. 713, H. 1145, approved September 20, 1957, entitled "An Act To provide for the payment of an expense allowance to members of the board of revenue, court of county commissioners, or other like governing body, other than the chairman or president thereof, of any county in the State having a population of not less than 94,000 nor more than 134,000 inhabitants, according to the last or any subsequent federal decennial census" (Acts of Alabama 1957, vol. II, p. 1109).

H. 1012. To repeal Act No. 683, H. 1086, approved September 20, 1957, entitled "An Act Relating to counties having a population of not less than 94,000 nor more than 135,000, according to the last or any subsequent federal decennial census; providing further for extending the corporate limits and boundaries of incorporated municipalities in such counties" (Acts of Alabama 1957, vol. II, p. 1030).

H. 1013. Relating to counties having populations of not less than 100,000 nor more than 115,000, according to the 1960 or any subsequent federal decennial census; providing further for extending the corporate limits and boundaries of incorporated municipalities in such counties.

H. 1014. To repeal Act No. 21, H. 27, approved March 23, 1955, entitled "An Act To permit banks now or hereafter having a combined paid-in capital and paid-in or earned surplus of more than One Million Dollars and situated in Counties having a population according to the 1950 or any subsequent decennial census of the United States of not less than 94,000 inhabitants nor more than 135,000 inhabitants, to establish, maintain, or operate new branches or branch banks, branch offices, branch agencies, additional offices or branch places of business within the limits of such County in which said bank is situated, for the receipt of deposits, payment of checks, lending of money, and the conduct of a general banking and trust business, by and with the written consent of the State Superintendent of Banks" (Acts of Alabama 1955, vol. I, p. 130).

H. 1022. To alter, rearrange, and add to the limits of the City of Attalla, Alabama, and to alter and rearrange the limits of the City of Gadsden, Alabama, by removing certain area from the limits of the City of Gadsden, Alabama, and adding same to the limits of the City of Attalla, Alabama, and to describe the area so removed from the City of Gadsden, Alabama, and so added to the City of Attalla, Alabama.

H. 1025. To provide that in each county of the State of Alabama having not less than 150,000 nor more than 300,000 population according to the last or any subsequent federal census in equity suits the depositions of witnesses or parties upon oral examination for discovery or for use as evidence may be taken as provided in Act No. 375 of the Legislature of Alabama of 1955, approved September 8, 1955 (Acts of Alabama of 1955, page 901 et seq.); to provide that in each such county in equity suits the scope of the examination, the use of such depositions, the effect of using such depositions, the method of compelling the attendance of the person sought to be examined and the penalties for the failure of such person to appear for such examination, shall be the same as provided for by said Act No. 375 of the Legislature of Alabama of 1955; to provide that the provisions of this Act shall apply to future suits and pending suits in any such county and also

to depositions heretofore taken in pending suits, provided the party or parties taking such depositions in taking the same proceeded under said Act No. 375 of the Legislature of Alabama of 1955; and to provide that the provisions of any law or rule of court in conflict with the provisions of this Act shall be repealed to the extend of such conflict.

H. 1027. To amend further Section 11 of Title 19, Code of Alabama (1940), which relates to the appointment of commissioners in condemnation proceedings; requiring the judge of probate to appoint the members of the county board of equalization to serve as commissioners in any condemnation proceeding where the county is a party to such proceeding, in all counties having populations of not less than 63,750 nor more than 72,750, and in all counties having populations of not less than 39,550 nor more than 40,350 inhabitants, according to the 1960 or any subsequent federal decennial census.

H. 1029. To repeal Act No. 37, H. 32, approved February 19, 1959, entitled, "An Act relating to counties which have a population of not less than 49,500 nor more than 54,000 inhabitants, according to the last or any subsequent federal decennial census, and which have a county or inferior court on which has been conferred jurisdiction concurrent with the circuit in equity and civil matters; providing for the compensation of the court reporter of the county court of such counties" (Acts of Alabama 1959, vol. I, p. 75).

H. 1030. To repeal Act No. 446, H. 935, approved November 13, 1959, entitled, "An Act to provide for the compensation of the deputies or clerks of the tax assessors and tax collectors of all counties having a population of not less than 47,000 nor more than 51,000, according to the most recent federal decennial census" (Acts of Alabama 1959, vol. II, p. 1140).

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Goodwyn to suspend the rules in order to introduce a resolution out of order was adopted.

RESOLUTION

The following resolution was introduced:

By Mr. Goodwyn:

H. J. R. 63. Resolved by the House of Representatives, the Senate concurring, that when the House and Senate adjourn on Tuesday, July 18, 1961, they adjourn to meet again on Thursday, July 20th 1961 at 9:00 o'clock A. M. and when they adjourn on Thursday, July 20, they adjourn to meet again on Tuesday, July 25th at 12:00 o'clock noon.

On motion of Mr. Goodwyn the rules were suspended and H. J. R. 63 was adopted.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Turner to suspend the rules in order to introduce a general bill out of order was adopted.

INTRODUCTION OF BILL

The following bill was introduced, read one time and referred to appropriate standing committee, as follows:

By Messrs. Turner, Brewer, Roberts, Bishop, Reynolds (Madison), Rast, Morrow, Dodd, Oden, Ray, Gordon, Branyon, Hankins, Guthrie, Shumate, Hanby, Copeland, Casey, Gilchrist, Beville, Perry and Broadfoot:

H. 1050. To authorize county governing bodies to make appropriations to support vocational trade schools or other similar institutions in which residents of the county or dependents of such residents are enrolled or are entitled to be enrolled.

Local Government.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Murphy to suspend the rules in order to allow the Standing Committee on Conservation to report out of order was adopted.

REPORT OF STANDING COMMITTEE ON CONSERVATION

Mr. Cornett, Chairman of the Standing Committee on Conservation, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 957. To amend Sections 46, 55, 57 and 59 of Title 38 of the Code of Alabama of 1940, which relate to Bar Pilots and Pilotage.

H. 958. To provide for the compulsory retirement of Bar Pilots licensed and branched by the State Pilotage Commission and to fix the effective age and date of such retirement.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Reynolds (Chambers) to suspend the rules in order to introduce a general bill out of order was adopted.

INTRODUCTION OF BILL

The following bill was introduced, read one time and referred to appropriate standing committee, as follows:

By Mr. Reynolds (Chambers):

H. 1051. Relating to insurance; to provide that it shall be unlawful for any insurance company to issue or renew any automobile collision insurance policy unless said company shall also issue an automobile liability policy with a specified minimum coverage; to provide exceptions to this Act; to provide for punishments for violation of this Act; to provide for the revocation of the license to do business of any insurance company which shall violate this Act; to repeal conflicting laws; and for other purposes.

Judiciary.

INTRODUCTION OF BILLS CONTINUED

The following bill was introduced, read one time and referred to appropriate standing committee, as follows:

By Messrs. Nichols and Camp (with notice and proof):

H. 1052. To authorize and empower the Board of Revenue, Court of County Commissioners, or the like governing body of Talladega County, in its discretion, to provide branch offices in the City of Sylacauga for the use of the Judge of Probate, Tax Assessor, Tax Collector, Sheriff, or their clerks or deputies, or other officers of Talladega County, in the performance of their official duties and to authorize and empower the governing body of Talladega County to furnish office space, clerical assistants, equipment and supplies necessary for the proper and efficient operation of such branch offices and to adopt rules and regulations governing the operation of such branch offices and to provide for an effective date upon approval in a county-wide election.

Local Legislation No. 1.

Notice and Proof H. 1052:

LEGAL NOTICE

A BILL
TO BE ENTITLED
AN ACT

To authorize and empower the Board of Revenue, Court of County Commissioners, or the like governing body of Talladega County, in its discretion, to provide branch offices in the City of Sylacauga for the use of the Judge of Probate, Tax Assessor, Tax Collector, Sheriff, or their clerks or deputies, or other officers of Talladega County, in the performance of their official duties and to authorize and empower the governing body of Talladega County to furnish office space, clerical assistants, equipment and supplies necessary for the proper and efficient operation of such branch offices and to adopt rules and regulations governing the operation of such branch offices and to provide for an effective date upon approval in a county-wide election.

Be It Enacted by the Legislature of Alabama:

Section 1. The Board of Revenue, Court of County Commissioners, or other like governing body of Talladega County, in its discretion, may provide a branch office in the City of Sylacauga for the use of the Judge of Probate, Tax Assessor, Tax Collector, Sheriff, or their clerks or deputies, or other officers of Talladega County, in the performance of their official duties. The county governing body shall adopt rules and regulations governing the operation of such branch offices, including the period, or periods, of time each year during which any of such branch offices shall remain open and in operation, and shall furnish such office space, clerical assistants, equipment and supplies as may be necessary for the proper and efficient operation of such branch offices. All expenses incurred under the provisions of this act, in the establishment and operation of such branch offices, shall be paid out of the general fund of the county on warrants drawn in the manner prescribed by law.

Section 2. The provisions of this act shall become operative only if approved by a majority of the electors of Talladega County who vote in a referendum election held for that purpose, which shall be held on the date of the first county-wide election held after adjournment of the 1961 Regular Session of the Legislature. The governing body of Talladega County shall order and provide for holding the referendum on such date and for canvassing the results thereof. On the ballots to be used at the election, the question shall be stated substantially as follows:

"Do you favor authorizing the governing body of Talladega County to provide branch offices in the City of Sylacauga for the use of the Judge of Probate, Tax Assessor, Tax Collector, Sheriff, and other officers of Talladega County, in the performance of their duties as provided in an act enacted at the 1961 Regular Session of the Legislature of Alabama?"

If a majority of the votes cast at the election is "Yes", the provisions of this act shall become operative on the first day of the month next succeeding the month during which the referendum is held. However, if a majority of the votes cast at the election is "No", this act shall have no further effect. The results of the election shall be certified to the Secretary of State, State of Alabama, and to the Chief Examiner of Public Accounts, Montgomery, Alabama, by the Probate Judge of Talladega County, within ten days after the results of the election have been ascertained.

PROOF OF PUBLICATION

STATE OF ALABAMA
TALLADEGA COUNTY.

Personally appeared before me, a Notary Public in and for said County, J. V. Greer, who being duly sworn according to law, deposes and says that he is the publisher of the Sylacauga News, a newspaper published in said County, and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for 4 weeks consecutively, to-wit, in the issues hereof dated as follows: June 15, 1961, June 22, 1961, June 29, 1961, July 5, 1961.

J. V. GREER.

Subscribed and sworn to before me this 13th day of July, 1961.

AVA DEAN KELLEY.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Pruitt to suspend the rules in order to allow the Standing Committee on Ways and Means to report out of order was adopted.

REPORT OF STANDING COMMITTEE ON WAYS AND MEANS

Mr. Smith (Russell), Chairman of the Standing Committee on Ways and Means, reported that said Committee in Session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 829. To amend Section 354 of Title 51 of the Code of Alabama 1940, relating to the due date of franchise tax.

H. 830. To amend Section 345 of Title 51 of the Code of Alabama 1940, relating to foreign corporation permits.

H. 831. To amend Section 346 of Title 51 of the Code of Alabama 1940, relating to domestic corporation permits.

Mr. Smith (Russell), Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 370. (with amendment). To amend Code of Alabama 1940, Title 51, Section 568, in relation to the privilege license payable by itinerant vendors or peddlers.

Mr. Smith (Russell), Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 310. To amend Title 51, Section 385 (4), sub-paragraph 1, Code of Alabama, 1940, pertaining to optional deduction relative to income taxation of adjusted gross income not to exceed 10 per cent instead of 7 per cent.

H. 311. To further amend Title 51, Section 388, as amended, Code of Alabama, 1940, relating to personal exemptions from income taxation.

H. 321. Regulating further the registration and licensing of motor vehicles: To require all motor vehicles operated in Alabama to be registered and annually to be licensed and to have attached thereto registration plates with tabs or other devices indicating the payment of the license tax for the current year; to convert vehicle license tags and the numbers thereon issued for the fiscal year beginning October 1, 1962 into the registration number and plates hereby required of the licensee; to provide for and regulate the issuance and use of registration plates and annual license tabs or other such devices; to prescribe penalties for violations of this Act; to amend Sections 704, 705, and 708 of Title 51, Code of Alabama 1940 to conform to this Act; and to repeal Sections 693 and 706 of said Title 51 and Act No. 35, H. 34, approved May 28, 1945 (Acts of 1945, p. 42), and other laws in conflict herewith.

Mr. Smith (Russell), Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 191. (with amendment). To amend Section 613 of Title 51, Code of Alabama 1940.

Mr. Smith (Russell), Chairman of the Standing Committee on Ways and

Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 891. To authorize the State Board of Agriculture and Industries to establish a program for the prevention, control and eradication of brucellosis or bangs disease in cattle and to prescribe the powers, authority and duties of the Commissioner of Agriculture and Industries and the State Veterinarian relative thereto; to authorize the State Board of Agriculture and Industries to prescribe methods and procedures for calfhood vaccination against brucellosis together with other methods and procedures for testing and vaccinating cattle for the control and eradication of such disease; to authorize the State Board of Agriculture and Industries to adopt rules and regulations for a brucellosis disease control and eradication program and to prescribe a penalty for violations thereof; to repeal Act No. 410 of the Legislature of 1947, approved September 25, 1947 (General Acts of 1947, page 298).

Mr. Smith (Russell), Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with amendment, and they were severally read a second time and placed on the Calendar, to-wit:

H. 796. (with amendment). To amend further Code of Alabama 1940, Title 7, Section 500 in relation to bill of costs to accompany the execution.

H. 297 (with amendment). To amend further Code of Alabama 1940, Title 37, Section 302, in relation to deposits of sinking funds securing public improvement bonds.

Mr. Smith (Russell), Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 849. Proposing an amendment to the Constitution of Alabama relative to the distribution of certain state funds among the several counties.

The above bill was read a second time at length as required by the Constitution.

H. 850. To amend Section 1 of Act No. 547, General Acts 1955, approved September 9, 1955.

H. 510. For the relief of Luther C. Gilbert, granting him a release of any state claim to the mineral in certain lands situated in Tuscaloosa County.

Mr. Smith (Russell), Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 312. (with substitute). To amend Title 51, Section 647, as amended, 649, as amended, 650, 651, as amended, 652, and 653, Code of Alabama 1940, to provide for the levying of the tax on gasoline and other motor fuels on

the storer, distributor, seller, refiner and user, and in that order, and to provide for the collection, reporting and payment of the tax to the state upon the happening of the first taxable event to take place in this state, and for the keeping of certain designated records by the storer, distributor, seller, or refiner.

Mr. Smith (Russell), Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 28. Relating to the furnishing of operating record by Director of Public Safety and the cost thereof, and amending Section 3 of Act No. 704, General Acts of Alabama 1951, as approved September 5, 1951.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Cabiness to suspend the rules in order to introduce a general bill out of order was adopted.

INTRODUCTION OF BILL

The following bill was introduced, read one time and referred to appropriate standing committee, as follows:

By Mr. Cabiness:

H. 1053. To provide an old age pension for certain persons who have attained age 62.

State Administration.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Bishop to suspend the rules in order to introduce a general bill out of order was adopted.

Yeas 55; Nays 1.

Yeas:

Mr. Speaker	Daniel	Hawkins	Ramey
Adams	Dunn	Hearn	Rast
Albea	Engel	Jenkins	Ray
Barnett	Franklin	Johnson (Hardaway)	Reynolds (Madison)
Bassett	Gilchrist	Locke	Rogers
Bevill	Gilmer	Long (Perry)	Rozelle
Bishop	Goldthwaite	McClendon (Chambers)	Self
Boyd	Grant	McCorquodale	Smith (St. Clair)
Brewer	Gross	McLendon (Bullock)	Steagall
Broadfoot	Grouby	Martin	Sullivan
Cabiness	Guthrie	Morrow	Taylor
Callahan	Hain	Oakley	Turner
Camp	Hankins	Pierce	Vickers
Cook	Hardy	Powell	

Nay:

Mr. Goodwyn

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INTRODUCTION OF BILL

The following bill was introduced, read one time and referred to appropriate standing committee, as follows:

By Messrs. Bishop, Hankins, Reynolds (Madison), Self, Hearn, Jenkins, McClendon (Chambers), Sullivan, Guthrie, Branyon, Shumate, Bevill, Dodd, Adams, Rozelle, Rogers, Powell, McLendon (Bullock), Solomon, Chambers, Nichols, Salter, Faulk, Ray, Gordon, Oden and Broadfoot:

H. 1054. To exempt bagging and ties used in baling cotton for market from the state sales and use taxes.

Ways and Means.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Bevill to suspend the rules in order to introduce a general bill out of order was adopted.

INTRODUCTION OF BILL

The following bill was introduced, read one time and referred to appropriate standing committee, as follows:

By Messrs. Bevill and Shumate:

H. 1055. For the relief of A. B. Legg and Sons Burial Insurance Company, Inc.

Ways and Means.

UNANIMOUS CONSENT GRANTED

Mr. Martin requested unanimous consent to have the name of Mr. Engel added as a co-author of the bill, H. 321.

MOTION TO SUSPEND RULES LOST

The motion of Mr. Broadfoot to suspend the rules in order to introduce a bill out of order was lost.

Yeas 35; Nays 29.

Yeas:

Mr. Speaker	Bishop	Camp	Franklin
Adams	Boyd	Cates	Gilchrist
Albea	Brewer	Cook	Gordon
Bassett	Broadfoot	Dodd	Gross
Bevill	Cabiness	Engel	Grouby

Guthrie	Johnson (<i>Hardaway</i>)	Ray	Speaks
Hankins	Merrill	Reynolds (<i>Madison</i>)	Steagall
Harris	Phillips	Rozelle	Turner
Hearn	Pierce	Self	

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Nays:

Messrs.	Glass	Long (<i>Perry</i>)	Powell
Avery	Grant	McCorquodale	Pruitt
Barnett	Hain	McLendon (<i>Bullock</i>)	Ramey
Britton	Hardy	Martin	Rogers
Brooks	Harvey	Morrow	Sullivan
Daniel	Jenkins	Nettles	Taylor
Dunn	Johnston (<i>Leonard</i>)	Oakley	Thomas
Gilmer	Lee		

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MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Adams to suspend the rules in order to introduce a bill out of order was adopted.

INTRODUCTION OF BILL

The following bill was introduced, read one time and referred to appropriate standing committee, as follows:

By Messrs. Adams, Johnson (*Hardaway*), Turnham, Torbert, Ferguson, Callahan and Jones (*Covington*):

H. 1056. Providing council-manager form of government which may be adopted by municipalities; and providing the method by which any municipality may adopt such form of municipal government.

Local Government.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Speaks to suspend the rules in order to introduce a resolution out of order was adopted.

RESOLUTION

The following resolution was introduced:

By Messrs. Speaks, Ashworth, Jones (*Monroe*), Goodwyn, Smith (*Russell*), Dunn, Bevell, Ferguson, Cabiness, Gross, Cates, Harvey, Callahan, Barnett, Avery, Ramey, Long (*Perry*), Gilmer, Hardy, Albea, Hain, Grouby, Turnham, Nichols, Meade, Shumate and Gilchrist:

H. R. 64. WHEREAS the Honorable and Mrs. Armistead Selden have recently become the parents of a son, Thomas Lawson Selden, and

WHEREAS this son is the fifth child of Congressman and Mrs. Selden,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES as follows: that Armistead and Mary Jane be congratulated for their good fortune in giving birth to this their fifth child,

That they be further commended in their good works and in their efforts to increase the population of the Sixth Congressional District,

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Congressman and Mrs. Armistead I. Selden.

On motion of Mr. Speaks the rules were suspended and H. R. 64 was adopted.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 1:50 P. M. On July 14, 1961.

H. J. R. 55

H. J. R. 56

H. J. R. 58

H. J. R. 59

H. J. R. 60

OAKLEY MELTON, JR.,
Clerk.

ADJOURNMENT

On motion of Mr. Thomas the House adjourned until Tuesday, July 18, 1961, at eleven o'clock A. M.

Yeas 62; Nays 18.

Yeas:

Mr. Speaker	Brooks	Engel	Gross
Adams	Callahan	Franklin	Grouby
Albea	Camp	Gilchrist	Guthrie
Bassett	Cook	Gilmer	Hain
Bevill	Cornett	Glass	Hankins
Bishop	Daniel	Goodwyn	Hardy
Britton	Dickson	Gordon	Harvey
Broadfoot	Edwards	Grant	Ingram

Jenkins	Merrill	Powell	Shumate
Johnson (<i>Hardaway</i>)	Morrow	Rast	Smith (<i>St. Clair</i>)
Jones (<i>Covington</i>)	Murphy	Ray	Steagall
Lee	Nichols	Reynolds (<i>Madison</i>)	Sullivan
Locke	Oden	Rogers	Taylor
McClendon (<i>Chambers</i>)	Owens	Rozelle	Thomas
McCorquodale	Perry	Self	Turner
McLendon (<i>Bullock</i>)	Phillips		

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Nays:

Messrs.	Cabiness	Hawkins	Roberts
Avery	Cates	Hearn	Sessions
Bailey	Copeland	Long (<i>Perry</i>)	Speaks
Barnett	Dunn	Nettles	Turnham
Boyd	Goldthwaite	Pierce	

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TWENTIETH DAY

House of Representatives
Montgomery, Alabama
Tuesday, July 18, 1961

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Waymon Crumpton, Pastor, First Methodist Church, Hamilton, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Branyon	Copeland	Gilchrist
Adams	Brewer	Cornett	Gilmer
Albea	Britton	Daniel	Glass
Avery	Broadfoot	Dickson	Goldthwaite
Bailey	Brooks	Dodd	Goodwyn
Barnett	Cabiness	Dunn	Gordon
Bassett	Callahan	Edwards	Grant
Bevill	Camp	Engel	Gross
Bishop	Casey	Faulk	Guthrie
Boyd	Chambers	Ferguson	Hain
Brannan	Cook	Franklin	Hanby

Hankins	Long (Lauderdale)	Phillips	Shumate
Hardy	Long (Perry)	Pierce	Smith (Russell)
Harris	McClendon (Chambers)	Powell	Smith (St. Clair)
Harvey	McCorquodale	Ramey	Solomon
Hawkins	McLendon (Bullock)	Rast	Speaks
Hearn	Martin	Rast	Steagall
Ingram	Meade	Reynolds (Chambers)	Sullivan
Jenkins	Merrill	Reynolds (Madison)	Thomas
Johnson (Hardaway)	Morrow	Roberts	Torbert
Johnson (J. T. Tom)	Nettles	Rogers	Trimmier
Johnston (Leonard)	Oakley	Rozelle	Turner
Jones (Covington)	Oden	Salter	Turnham
Lee	Owens	Self	Vickers
Locke	Perry	Sessions	

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A quorum was present.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate has appointed Messrs. Wilson, Robison and Kendall as Committee on part of the Senate to wait upon and escort Dr. Luther L. Terry at the Joint Session, July 18, 1961, at 11:00 o'clock A. M.

J. E. SPEIGHT,
Secretary.

MOTION TO RECESS ADOPTED

The motion of Mr. Smith (Russell) that the House recess immediately after the Joint Session until 2:30 o'clock this afternoon was adopted.

JOINT SESSION

The hour of 11:00 o'clock A. M. having arrived, the Senate and House of Representatives of the Legislature of Alabama met in joint session in the Hall of the House of Representatives, in accordance with House Joint Resolution No. 56 heretofore adopted, for the purpose of hearing an address by Dr. Luther L. Terry, Surgeon General of the United States.

The joint session was called to order by Honorable Albert Boutwell, Lieutenant Governor and Presiding Officer of the Senate.

Dr. Terry was escorted to the Chair and was introduced by Honorable John Patterson, Governor of the State of Alabama. Thereupon Dr. Terry addressed the Legislature.

The Lieutenant Governor and Presiding Officer of the Senate announced that the purpose of the joint session having been accomplished the Senate would retire to its Chamber.

In accordance with the motion of Mr. Smith (Russell) heretofore adopted, the House recessed until 2:30 o'clock this afternoon.

AFTERNOON SESSION

The hour of 2:30 o'clock P. M. having arrived, the House reconvened.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Mr. Caffey:

S. 469. To amend further Code of Alabama 1940, Title 1, Section 14, which relates to the reclassification date for laws based on population.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bill, the title to which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 469. Local Legislation No. 1

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Messrs. Crawford, Barnett, Webb, Clark and Givhan:

S. 213. To amend further Section 89, Title 36, Code of Alabama 1940, which limits the size and weight of motor vehicles and loads.

Also:

By Messrs. Roberts, Golson, Andrews, Wilson, Caffey, Wyatt, Leonard and Turner:

S. 75. To provide that any person failing to relinquish a telephone party line, to another, in cases of emergency, shall be guilty of a misdemeanor; to provide that any person who states that said telephone line is needed for an emergency, knowing said statement is false, shall be guilty of a misdemeanor; and to provide that said provisions be printed in every telephone directory distributed in this State.

Also:

By Mr. Dumas:

S. 79. To further amend Section 58 of Title 2, Code of Alabama of 1940, as amended, which relates to the filing and registration of commercial

feeds with the Commissioner of Agriculture and Industries for the sale and distribution of such feeds.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 213. Judiciary.

S. 75. Judiciary.

S. 79. Agriculture.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following engrossed bill with the original bill and finds same correctly engrossed, to-wit:

H. 40. To establish a Joint Legislative Committee to study, investigate, subpoena, analyze, and interrogate persons, groups, and organizations who may be engaged in unlawful activity.

VIRGIS M. ASHWORTH,
Chairman.

The above and foregoing report of the Standing Committee on Rules was concurred in and adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolutions, your signature thereto is requested:

S. J. R. 26. Designating August 13th of each year as Thomas W. Martin Day and inviting him to address a joint session of the Legislature.

S. J. R. 27. Naming the new University Psychiatric Clinic, the Joseph and Bertha Smolian Psychiatric Clinic.

S. J. R. 28. Recommending an addition to the National System of Interstate and Defense Highways.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolutions, the titles to which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

In accordance with the provisions of Senate Joint Resolution 26, the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Kendall, Dumas, Haltom, Robison and Eddins.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. deGraffenried:

S. J. R. 30. WHEREAS, by amendment passed in 1957, the Alabama GI and Dependents Education Benefit Act, Title 60, Section 82 (Sub 3), was amended to provide, among other things, that "training under this section must be initiated within 2 years after high school graduation. . .",

AND WHEREAS the Department of Veterans Affairs of the State of Alabama, by administrative interpretation has, since the amendment of said section, construed graduation or completion of high school to be a prerequisite for eligibility to receive benefits under said act, and whereas graduation from high school is not an entrance requirement to Alabama State Vocational Trade Schools.

NOW THEREFORE, be it resolved that it was not the intention of the Legislature of the State of Alabama that amendment of the Alabama GI and Dependents Education Act in 1957 should require graduation from high school as a prerequisite to receive benefits under said act.

BE IT FURTHER RESOLVED that a copy of this resolution be sent by the Secretary of Senate to the Department of Veterans Affairs of the State of Alabama.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Callahan the rules were suspended and the House concurred in and adopted the S. J. R. 30 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Crawford and Kendall:

S. J. R. 29. WHEREAS it has come to the attention of the members of the Standing Committees on Agriculture of the respective Houses of the Legislature of Alabama that opportunity exists for a great expansion of the volume of cotton exported from the southeast, and

WHEREAS such expansion can be accomplished by administrative adjustment of the export subsidy to give all sections of the Cotton Belt competitive equality in the export of cotton, and

WHEREAS the increased volume would create another market for southeastern cotton and afford the small cotton farmer of this area an opportunity to have access to the same markets open to the great corporate producers of other sections of the Cotton Belt:

BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING That Honorable Orville Freeman, Secretary of Agriculture of the United States, be memorialized to institute the necessary administrative steps to bring about the aforementioned competitive equality of all sections of the Cotton Belt in the export of cotton.

BE IT FURTHER RESOLVED That copies of this resolution be sent to Honorable R. C. Bamberg, Alabama State Commissioner of Agriculture; to Honorable Horace Godfrey, Director of the Commodity Stabilization Service; to Honorable Joe Moss, Director of the Cotton Division of the Commodity Stabilization Service; and to all the members of the Alabama Congressional Delegation,

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Solomon the rules were suspended and the House concurred in and adopted the S. J. R. 29 set out in the above and foregoing Message from the Senate.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Glass to suspend the rules in order to introduce a resolution out of order was adopted.

RESOLUTION

The following resolution was introduced:

By Messrs. Glass, Ashworth, Thomas, Smith (Russell), Bassett, Britton, Boyd, Pierce, Bailey, Brooks, Taylor, Brannan, Nettles, Cornett, McCorquodale, Engel, Phillips, Oakley, Dunn, Owens, Salter, Rozelle, Goldthwaite, Hain, Jenkins, McClendon (Chambers), Johnson (J. T. Tom), Hankins, Dodd, Bishop, Morrow, Sessions, Gordon, Gross, Long (Perry), Branyon, Faulk, Daniel, Grant, Bevill, Johnston (Leonard), McLendon (Bullock), Powell, Adams, Copeland, Rogers, Chambers, Franklin, Hearn, Gilmer, Jones (Covington), Hanby and Dickson.

H. J. R. 65. On Statement of Governor John Patterson Addressed to National Governors Conference,

As many editorialists have recently pointed out, every word Governor John Patterson said in his comments at the National Governors Conference in Honolulu, about Federal encroachments upon the States in violation of the Constitution, was exactly right; and

WHEREAS the Governor of Alabama has, in an exceedingly articulate manner, in a forum worthy of his great talent, forcefully and forthrightly illustrated the fact that there are two sides to every question, particularly the burning issues involved in federally enforced racial integration; and

WHEREAS the Governor's appearances and statements made in the course of his attendance at the aforementioned conference have served to reflect great credit upon himself and the State of Alabama, which he so ably serves; now therefore, be it

RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we emphatically agree with and heartily endorse the statement made by the Governor, and warmly commend him for the excellence of his eloquent and vigorous expression of the position he has taken on the overriding issue of "State authority versus Federal almightiness."

RESOLVED FURTHER, That the Clerk be directed to send copies of this resolution to each of the Governors of the other States, to the President of the United States, and to the U. S. Attorney General.

On motion of Mr. Glass the rules were suspended and H. J. R. 65 was adopted.

BILLS ON THIRD READING

SPECIAL ORDER

The House proceeded to the consideration of the special order.

And the bill:

H. 459. To amend Section 445, of Title 37, Code of Alabama 1940, relating to municipal audits and persons by whom such audits may be compiled.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 1.

Yeas:

Mr. Speaker	Dunn	Hawkins	Perry
Adams	Edwards	Hearn	Phillips
Albea	Engel	Ingram	Powell
Avery	Faulk	Jenkins	Ramey
Bailey	Ferguson	Johnson (Hardaway)	Rast
Barnett	Franklin	Johnson (J. T. Tom)	Ray
Bassett	Gilchrist	Johnston (Leonard)	Reynolds (Madison)
Bevill	Gilmer	Jones (Covington)	Rogers
Bishop	Glass	Lee	Rozelle
Boyd	Goldthwaite	Locke	Self
Brannan	Goodwyn	Long (Perry)	Sessions
Brewer	Gordon	McClendon (Chambers)	Smith (Russell)
Britton	Grant	McCorquodale	Solomon
Brooks	Gross	McLendon (Bullock)	Speaks
Camp	Guthrie	Martin	Steagall
Casey	Hain	Merrill	Sullivan
Chambers	Hanby	Morrow	Thomas
Copeland	Hankins	Nettles	Torbert
Cornett	Hardy	Oakley	Trimmier
Daniel	Harris	Oden	Turner
Dickson	Harvey	Owens	Turnham
Dodd			

—85

Nay:

Mr. Cabiness

—1

And the bill:

H. 92. To provide for the issuance and use of distinctive flags or distress signals by handicapped or paraplegic drivers of motor vehicles.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Britton	Dodd	Guthrie
Adams	Broadfoot	Dunn	Hain
Albea	Brooks	Edwards	Hanby
Avery	Cabiness	Faulk	Hankins
Bailey	Callahan	Ferguson	Hardy
Barnett	Camp	Franklin	Harris
Bassett	Casey	Gilchrist	Harvey
Bevill	Chambers	Glass	Hawkins
Bishop	Copeland	Goldthwaite	Hearn
Boyd	Cornett	Goodwyn	Ingram
Brannan	Daniel	Gordon	Jenkins
Brewer	Dickson	Grant	Johnson (Hardaway)

Johnson (J. T. Tom)	Nettles	Ray	Solomon
Johnston (Leonard)	Oakley	Reynolds (Madison)	Speaks
Jones (Covington)	Oden	Roberts	Steagall
Locke	Owens	Rogers	Sullivan
Long (Lauderdale)	Perry	Rozelle	Thomas
Long (Perry)	Phillips	Salter	Torbert
McClendon (Chambers)	Pierce	Self	Trimmier
Martin	Powell	Sessions	Turner
Merrill	Ramey	Smith (Russell)	Turnham
Morrow	Rast	Smith (St. Clair)	

—87

And the bill:

H. 96. To provide for uniformity of certain traffic control signals.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Daniel	Hawkins	Phillips
Adams	Dickson	Hearn	Pierce
Albea	Dodd	Ingram	Powell
Avery	Dunn	Jenkins	Ramey
Bailey	Edwards	Johnson (Hardaway)	Rast
Barnett	Faulk	Johnson (J. T. Tom)	Ray
Bassett	Ferguson	Johnston (Leonard)	Reynolds (Madison)
Bevill	Franklin	Jones (Covington)	Roberts
Bishop	Gilchrist	Locke	Rogers
Boyd	Glass	Long (Lauderdale)	Rozelle
Brannan	Goldthwaite	Long (Perry)	Salter
Brewer	Goodwyn	McClendon (Chambers)	Self
Britton	Gordon	McCorquodale	Sessions
Broadfoot	Grant	McLendon (Bullock)	Smith (Russell)
Brooks	Gross	Martin	Smith (St. Clair)
Cabiness	Guthrie	Merrill	Solomon
Callahan	Hain	Morrow	Speaks
Camp	Hanby	Nettles	Steagall
Casey	Hankins	Oakley	Sullivan
Chambers	Hardy	Oden	Trimmier
Copeland	Harris	Owens	Turner
Cornett	Harvey	Perry	Turnham

—88

And the bill:

H. 744. To propose an amendment to the Constitution of Alabama authorizing the State of Alabama to assist in the erection, construction and equipping of hospitals, health centers, and related medical facilities within the State; and to that end to authorize the Governor of Alabama to issue and sell negotiable interest-bearing bonds in the amount not to exceed \$2,000,000 in addition to the bonds heretofore authorized; and to provide for the prompt and faithful payment of the principal and interest on such bonds and for the retirement thereof; and to order an election by the qualified elec-

tors of the State of Alabama upon such proposed amendment to be held the first Tuesday after the expiration of three months from and after the final adjournment of the regular session of the Legislature.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 1.

Yeas:

Mr. Speaker	Dickson	Hearn	Powell
Adams	Dodd	Ingram	Ramey
Albea	Dunn	Jenkins	Rast
Avery	Edwards	Johnson (Hardaway)	Ray
Bailey	Faulk	Johnson (J. T. Tom)	Reynolds (Madison)
Barnett	Ferguson	Johnston (Leonard)	Rogers
Bassett	Franklin	Jones (Covington)	Rozelle
Bevill	Gilchrist	Lee	Salter
Bishop	Gilmer	Locke	Self
Boyd	Glass	Long (Perry)	Sessions
Brannan	Goldthwaite	McClendon (Chambers)	Smith (Russell)
Branyon	Goodwyn	McCorquodale	Smith (St. Clair)
Brewer	Gordon	McLendon (Bullock)	Solomon
Britton	Gross	Martin	Speaks
Broadfoot	Guthrie	Merrill	Steagall
Brooks	Hain	Morrow	Sullivan
Cabiness	Hanby	Nettles	Thomas
Casey	Hankins	Oakley	Torbert
Chambers	Hardy	Oden	Trimmier
Copeland	Harris	Perry	Turner
Cornett	Harvey	Phillips	Turnham
Daniel	Hawkins	Pierce	

—87

Nay:

Mr. Grant

—1

UNANIMOUS CONSENT GRANTED

Mr. Grant requested unanimous consent to have his name removed as co-author of the bill, H. 744, and it was so granted.

And the bill:

H. 82. To amend Sections 364 and 365 of Title 52 of the Code of Alabama of 1940, as amended, which relates to the Teachers' Retirement System.

Was taken up.

Mr. Albea offered the following amendment to the bill, H. 82:

In Section 1, strike out "September 1, 1942" and insert in lieu thereof "September 1, 1945"

And the amendment was adopted.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Dickson	Hawkins	Ramey
Adams	Dodd	Hearn	Rast
Albea	Dunn	Ingram	Ray
Avery	Edwards	Jenkins	Reynolds (Chambers)
Bailey	Engel	Johnson (Hardaway)	Reynolds (Madison)
Barnett	Faulk	Johnson (J. T. Tom)	Rogers
Bassett	Ferguson	Johnston (Leonard)	Rozelle
Bevill	Franklin	Jones (Covington)	Salter
Bishop	Gilchrist	Lee	Self
Boyd	Gilmer	Long (Lauderdale)	Sessions
Brannan	Glass	Long (Perry)	Shumate
Branyon	Goldthwaite	McClendon (Chambers)	Smith (Russell)
Brewer	Goodwyn	McCorquodale	Smith (St. Clair)
Britton	Gordon	McLendon (Bullock)	Solomon
Broadfoot	Grant	Martin	Speaks
Brooks	Gross	Merrill	Steagall
Cabiness	Guthrie	Nettles	Sullivan
Callahan	Hain	Oakley	Thomas
Camp	Hanby	Oden	Torbert
Casey	Hanks	Phillips	Trimmier
Chambers	Hardy	Pierce	Turner
Cornett	Harris	Powell	Turnham
Daniel	Harvey		

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And said bill, H. 82, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Casey	Hain	McLendon (Bullock)
Adams	Chambers	Hanby	Martin
Albea	Cornett	Hanks	Merrill
Avery	Daniel	Hardy	Nettles
Bailey	Dickson	Harris	Oakley
Barnett	Dodd	Harvey	Oden
Bassett	Dunn	Hawkins	Perry
Bevill	Edwards	Hearn	Phillips
Bishop	Engel	Ingram	Pierce
Boyd	Ferguson	Jenkins	Powell
Brannan	Franklin	Johnson (Hardaway)	Ramey
Branyon	Gilchrist	Johnson (J. T. Tom)	Rast
Brewer	Gilmer	Johnston (Leonard)	Ray
Britton	Glass	Jones (Covington)	Reynolds (Chambers)
Broadfoot	Goldthwaite	Lee	Reynolds (Madison)
Brooks	Goodwyn	Long (Lauderdale)	Rogers
Cabiness	Gordon	Long (Perry)	Rozelle
Callahan	Gross	McClendon (Chambers)	Salter
Camp	Guthrie	McCorquodale	Self

Sessions	Solomon	Sullivan	Trimmier
Smith (Russell)	Speaks	Thomas	Turner
Smith (St. Clair)	Steagall	Torbert	Turnham

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And the bill:

H. 180. To amend Sections 3 and 4 of Act 515 approved July 9, 1945, as amended, which relates to the Employees' Retirement System of Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Daniel	Harris	Pierce
Adams	Dickson	Harvey	Powell
Albea	Dodd	Hawkins	Ramey
Avery	Dunn	Hearn	Rast
Bailey	Edwards	Ingram	Ray
Barnett	Engel	Jenkins	Reynolds (Chambers)
Bassett	Faulk	Johnson (Hawarday)	Reynolds (Madison)
Bevill	Ferguson	Johnson (J. T. Tom)	Rogers
Bishop	Franklin	Johnston (Leonard)	Rozelle
Boyd	Gilchrist	Jones (Govington)	Salter
Brannan	Gilmer	Lee	Self
Branyon	Glass	Long (Lauderdale)	Sessions
Brewer	Goldthwaite	Long (Perry)	Solomon
Britton	Goodwyn	McClendon (Chambers)	Speaks
Brooks	Gordon	McCorquodale	Steagall
Cabiness	Grant	McLendon (Bullock)	Sullivan
Callahan	Gross	Martin	Thomas
Camp	Guthrie	Merrill	Torbert
Casey	Hain	Nettles	Trimmier
Chambers	Hanby	Oden	Turner
Copeland	Hankins	Owens	Turnham
Cornett	Hardy	Phillips	

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H. 352 POSTPONED

On motion of Mr. McLendon (Bullock) consideration of the bill, H. 352, was postponed until the next legislative day.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. McLendon (Bullock) to suspend the rules in order to introduce a resolution out of order was adopted.

RESOLUTION

The following resolution was introduced:

By Messrs. McLendon (Bullock), Gross, Rozelle, Goldthwaite, Brannan, Salter, Dickson, Perry, Bailey, Gilmer, Powell, Johnson (Hardaway), Franklin, Speaks, Long (Perry), Cabiness, Dodd, Beville, Long (Lauderdale), Torbert, Steagall, Jenkins, Dunn, Johnson (J. T. Tom), McClen-don (Chambers), Harvey, Ferguson, Morrow, Hanby, Hawkins, Bishop, Sullivan, Daniel, Edwards, Locke, Brewer, Gilchrist, Thomas, Callahan, Nettles, Merrill, Adams, Boyd, Oakley, Britton, Grant, Glass, Casey, Hain, Barnett, Cornett, McCorquodale, Phillips, Chambers, Rogers, Self, Pierce, Copeland, Trimmier, Engel and Smith (Russell).

H. R. 66. Congratulating Pete B. Turnham on honors bestowed.

According to tradition and custom, an outstanding graduate of the Special Orientation Course of the Command and General Staff College at Fort Leavenworth, Kansas, is invited every year to return the next year and address the current graduating class on a specially assigned subject; and

WHEREAS Major Pete B. Turnham, of the Military Intelligence Reserve, Army of the United States of America, is the outstanding graduate of the class of 1960 invited to return to Fort Leavenworth to address the 1961 class, his assigned subject being, "The Role of Army Reserve Components Officers in the Information Program"; now therefore, be it

RESOLVED BY THE HOUSE, That we congratulate our esteemed colleague from Auburn for the great honor bestowed upon him, and wish him Godspeed on this significant occasion.

On motion of Mr. McLendon (Bullock) the rules were suspended and H. R. 66 was adopted.

REPORT OF STANDING COMMITTEE ON RULES

Mr. Ashworth, Chairman of the Standing Committee on Rules, reported that said Committee in session, had acted on the following resolution, and ordered same returned to the House with the recommendation that it be adopted.

By Rules Committee:

H. R. 67. BE IT RESOLVED BY THE HOUSE that the following bills in the order named be made special, paramount and continuing order of business, at this time, taking precedence over any other business of the House:

H. 843. (with substitute). Proposing an amendment to the Constitution of Alabama fixing the number of representatives in the Legislature and apportioning the membership among the several counties, fixing the number of senators and their terms of office and dividing the State into senatorial districts, setting the required frequency of subsequent reapportionment, placing the duty and responsibility for subsequent reapportionment of the legislature upon the legislature itself from and after the first Monday in May, 1971 and prescribing apportionment basis and procedure to be thereafter followed.

By Messrs. Edwards, Locke, Perry, Hawkins, Sessions, Rast, Morrow, Martin, Ramey, Pruitt, Ferguson, Speaks, Cabiness, Hain, Goodwyn, Thomas, Lee, Smith (Russell), Rozelle, Jones (Covington), Jones (Monroe), Bevell, Solomon, Salter, Nettles, Merrill and Cornett:

H. 745. (with substitute). To further preserve the peace.

By Mr. Hanby:

H. 797. To amend Sections 3 and 4 of Act No. 981, H. 817, approved September 12, 1951 (Acts of Alabama 1951, page 1655) entitled "An Act relating to criminal sexual psychopathic persons; providing for the commitment and treatment of such persons after their conviction of a sex offense, and prescribing the procedure therefor; and providing for the further disposition of such persons."

By Messrs. Hain, Ingram, Owens, Vickers, Gordon, Hankins, Self and Johnson (Hardaway):

H. 63. To authorize and prescribe the procedure for civil proceedings to compel the support of certain persons within and without the State by other persons under a legal obligation to support them and to repeal Act No. 879 (H. 374, approved September 12, 1951), Acts of Alabama 1951, and Act No. 823 (H. 805, approved September 19, 1953), Acts of Alabama 1953.

By Messrs. Hain, Ingram, Owens, Vickers, Hankins, Self, Johnson (Hardaway):

H. 68. To amend Section 66 of Title 49, Code of Alabama 1940 which relates to the authority of the state department of pensions and security to issue licenses to child-caring institutions and agencies.

By Messrs. Hain, Ingram, Owens, Vickers, Gordon, Hankins and Self:

H. 69. (with amendment). To amend Section 74, Title 49, Code of Alabama 1940, and to provide that the amended section shall be transferred to Title 27 as Section 9a - this section clarifies the procedures involved in bringing a child from another state for adoption.

By Messrs. Hain, Ingram, Owens, Vickers, Gordon, Hankins, and Self:

H. 76. (with amendment). To amend Section 2, Title 27, Code of Alabama 1940, which relates to the investigation by state department of pensions and security, or its duly authorized agents and the hearing of petition to adopt.

By Messrs. Hain, Ingram, Owens, Vickers, Gordon, Hankins and Self:

H. 73. To amend Section 4, Title 27, Code of Alabama 1940, which relates to decree, revocation of order, annulments, reports pertaining to adoption of children.

By Messrs. Hain, Ingram, Owens, Vickers, Gordon, Hankins and Self:

H. 75. To amend Section 9, Title 27, Code of Alabama 1940, relating to inheritance of a child adopted under laws of a foreign state.

By Messrs. Hain, Ingram, Owens, Vickers, Hankins and Self:

H. 77. To amend Section 8, Title 27, Code of Alabama 1940, relating to penalty for violation of provisions of adoption statute.

By Messrs. Hain, Ingram, Owens, Vickers, Gordon, Hankins and Self:

H. 79. To amend Section 6, Title 27, Code of Alabama 1940, as amended, which relates to adoption by stepfather or stepmother.

By Mr. McCorquodale:

H. 371. To amend Section 66 of Title 8 of the Code of Alabama 1940, which relates to the means of catching game fish in the state of Alabama.

By Mr. McCorquodale:

H. 373. To amend Section 60 of Title 8 of the Code of Alabama 1940, which designates game fish under the laws in this state.

By Mr. McCorquodale:

H. 375. (with amendment). To amend Section 87 of Title 8 of the Code of Alabama 1940, as amended by Section 1 of Act No. 665, Acts of Alabama 1949, page 1029; relating to the penalty for hunting in closed season; making the possession of freshly killed game during the closed season an offense.

By Messrs. Smith (Russell) and Torbert:

H. 990. To amend further Code of Alabama 1940, Title 1, Section 14, which relates to the reclassification date for laws based on population.

By Messrs. Copeland, Pierce, Bailey, Boyd, Glass, Ramey, Roberts, Brannon, Oakley, McCorquodale, Harvey, Trimmier, Goodwyn, Adams, Rozelle, Brannon, Sullivan, Lee, Dickson, Gilmer, Hain, Hardy, Pruitt, Jones (Monroe), Johnson (J. T. Tom), Jenkins, Cates and Phillips:

H. 669. To provide for assessment and collection of ad valorem taxes on motor vehicles; amending further Code of Alabama, 1940, Title 51, Section 704.

By Messrs. Smith (Russell), Grouby, Oden, Vickers, Boyd, Goodwyn, Ingram and Pruitt:

H. 28. Relating to the furnishing of operating record by Director of Public Safety and the cost thereof, and amending Section 3 of Act No. 704, General Acts of Alabama 1951, as approved September 5, 1951.

By Messrs. Goodwyn, Pierce and Bailey:

H. 179. To provide for and regulate salaries payable to certain state officers and employees in state service, amending Code 1940, Title 41, Section 152, and repealing conflicting laws.

By Messrs. Branyon, Hankins, Bishop, Britton, Harris, Hain, Roberts, Ramey, McClendon (Chambers), Trimmier, Rozelle, Jones (Monroe), Harvey, Copeland and Martin:

H. 99. To amend further Title 34, Sections 27 and 29, Code of Alabama 1940, both of which relate to period of residence requirements in divorce suits.

By Messrs. Cornett, Roberts, Hawkins and Adams:

H. 201. To provide for partial refund of the gasoline excise tax levied on aviation fuel pursuant to Section 647, Title 51, Code of Alabama 1940, as amended; to establish procedures and requirements governing the application for and payment of the aviation fuel refund; to fix certain penalties for violation of the terms of this Act and the rules and regulations established thereunder; and to declare the relationship of this Act to other provisions of Title 51, Code of Alabama 1940, as amended.

By Mr. Pruitt:

H. 310. To amend Title 51, Section 385 (4), sub-paragraph 1, Code of Alabama, 1940, pertaining to optional deduction relative to income taxation of adjusted gross income not to exceed 10 per cent instead of 7 per cent.

By Mr. Pruitt:

H. 311. To further amend Title 51, Section 388, as amended, Code of Alabama, 1940, relating to personal exemptions from income taxation.

By Messrs. Boyd and Torbert:

H. 198. To further amend Title 29, Chapter 1, Section 5, Code of Alabama 1940, as amended, which relates to functions, duties and powers of Alabama Alcoholic Beverage Control Board.

By Messrs. Boyd, Adams and McCorquodale:

H. 849. Proposing an amendment to the Constitution of Alabama relative to the distribution of certain state funds among the several counties.

By Messrs. Hanby and Copeland:

H. 796 (with amendment). To amend further Code of Alabama 1940, Title 7, Section 500 in relation to bill of costs to accompany the execution.

By Messrs. Goodwyn, Self, Sullivan, Branyon, Copeland, Hanby, Shumate, Beville, Broadfoot, Hankins, Bishop, Merrill and Meade:

H. 184. To amend Section 8 of Title 26, Code of Alabama 1940, as last amended, the same relating to the Board of Appeals for the Alabama Department of Industrial Relations.

By Messrs. Goodwyn, Self, Sullivan, Branyon, Copeland, Hanby, Shumate, Beville, Broadfoot, Hankins, Bishop, Merrill and Meade:

H. 187. To amend Section 251 of Title 26, Code of Alabama 1940, as last amended, the same relating to penalties for violations of the Unemployment Compensation Law.

By Messrs. Goodwyn, Self, Sullivan, Branyon, Copeland, Hanby, Shumate, Beville, Broadfoot, Hankins, Bishop, Merrill and Meade:

H. 188. To amend Section 181 of Title 26, Code of Alabama 1940, to provide for the exercise by the director of unemployment compensation of the powers and duties of the director of industrial relations, in so far as they pertain to unemployment compensation, during the interim in which there is no duly appointed and qualified director of industrial relations.

By Messrs. Goodwyn, Self, Sullivan, Branyon, Copeland, Hanby, Shumate, Beville, Broadfoot, Hankins, Bishop, Merrill and Meade:

H. 189. To amend Sections 344, 347, 349, 353, 354, 357, 362, 363, 365, 366, and 367, of Title 26, Code of Alabama 1940, as last amended; and to repeal Section 364, of Title 26, Code of Alabama 1940.

By Messrs. McLendon (Bullock), Adams, Boyd and Nettles:

H. 358. To amend Section 213, Title 26, Code of Alabama, 1940, as amended, the same relating to benefit eligibility conditions for unemployment compensation.

By Messrs. McLendon (Bullock), Adams, Boyd and Nettles:

H. 360. To amend Section 202, Title 26, Code of Alabama 1940, as amended, the same relating to contributions by employees to the unemployment compensation trust fund.

By Messrs. Goodwyn, Self, Sullivan, Branyon, Copeland, Hanby, Shumate, Beville, Broadfoot, Hankins, Bishop, Merrill and Meade:

H. 182. (with substitute). To amend Section 207, Title 26, Code of Alabama 1940, as last amended, the same pertaining to weekly unemployment benefit amounts for unemployment.

By Messrs. McLendon (Bullock), Adams, Boyd and Nettles:

H. 357. (with substitute) (with amendment). To amend Section 204, Title 26, Code of Alabama, 1940, as amended, the same pertaining to experience rating, rates and contribution for unemployment compensation.

By Messrs. Beville, Speaks, Shumate, Broadfoot, Bishop, and Murphy:

H. 499. (with substitute). Relating to workmen's compensation; amending Section 312 of Title 26, Code of Alabama 1940 in relation to the employer's intervention as subrogee in a pending suit.

By Messrs. McLendon (Bullock), Adams, Boyd and Nettles:

H. 362. (with substitute). To amend Section 191, Title 26, Code of

Alabama, 1940, as amended, the same relating to the definition of wages for unemployment compensation.

By Messrs. Goodwyn, Self, Sullivan, Branyon, Copeland, Hanby, Shumate, Bevill, Broadfoot, Hankins, Bishop, Merrill and Meade:

H. 181. (with amendment). To amend Section 289 of Title 26, Code of Alabama 1940, as last amended, the same relating to limitations on compensation under the Workmen's Compensation Law.

By Messrs. Bevill, Speaks, Gross, Broadfoot, Bishop and Murphy:

H. 501. (with amendment). Relating to unemployment compensation; amending Section 209 of Title 26, Code of Alabama 1940 in relation to the number of weeks to which an employee shall be entitled to benefits.

By Messrs. Bevill, Speaks, Shumate, Broadfoot, Bishop and Murphy:

H. 502. Relating to workmen's compensation; amending Section 285 of Title 26, Code of Alabama 1940 in relation to the liability of the employer on burial expenses of employees.

By Messrs. McLendon (Bullock), Adams, Boyd and Nettles:

H. 355. (with substitute). To amend Section 214, Title 26, Code of Alabama, 1940, as amended, the same relating to disqualification for benefits for unemployment.

By Messrs. Bevill, Speaks, Shumate, Broadfoot, Bishop and Murphy:

H. 500. (with substitute). Relating to workmen's compensation; amending Section 293 of Title 26, Code of Alabama 1940 in relation to employer's liability for employees' medical, surgical and hospital service and injured employees' submission to physical examination.

By Mr. Oden:

H. 115. To amend further Section 12, Title 12, Code of Alabama 1940, in relation to powers of courts of county commissioners.

Was taken up.

Mr. Branyon offered the following amendment to the resolution, H. R. 67:

AMENDMENT OF SPECIAL ORDER AS REPORTED BY RULES
COMMITTEE:

Strike out "H. 99" where it now appears on the special order and insert "H. 99" before H. 843", which appears at the top of the special order.

Mr. Smith (Russell) moved to lay on the table the amendment offered by Mr. Branyon.

On motion of Mr. Smith (Russell) the motion of Mr. Broadfoot to postpone further consideration of the resolution, H. R. 67, and pending amendment until the twenty-ninth legislative day was laid upon the table.

Yeas 52; Nays 40.

Yeas:

Mr. Speaker	Copeland	Ingram	Reynolds (Madison)
Adams	Cornett	Jenkins	Roberts
Bailey	Dunn	Johnson (J. T. Tom)	Rogers
Bassett	Edwards	Locke	Rozelle
Bevill	Faulk	McClendon (Chambers)	Sessions
Bishop	Franklin	McCorquodale	Shumate
Boyd	Gilchrist	McLendon (Bullock)	Smith (Russell)
Brannan	Goodwyn	Merrill	Smith (St. Clair)
Branyon	Gordon	Nettles	Solomon
Britton	Gross	Oakley	Steagall
Camp	Hanby	Phillips	Torbert
Casey	Hankins	Pierce	Turner
Cook	Harris	Rast	Vickers

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Nays:

Messrs.	Dodd	Johnson (Hardaway)	Powell
Albea	Ferguson	Johnston (Leonard)	Ramey
Avery	Gilmer	Jones (Covington)	Ray
Barnett	Goldthwaite	Lee	Reynolds (Chambers)
Brewer	Grant	Long (Lauderdale)	Salter
Broadfoot	Guthrie	Long (Perry)	Self
Brooks	Hain	Martin	Speaks
Cabiness	Hardy	Morrow	Sullivan
Chambers	Harvey	Oden	Thomas
Daniel	Hawkins	Perry	Trimmier
Dickson			

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The question was on the motion of Mr. Smith (Russell) to lay on the table the amendment offered by Mr. Branyon, and said motion was lost.

Yeas 35; Nays 55.

Yeas:

Mr. Speaker	Cornett	Jones (Covington)	Rogers
Albea	Dickson	Lee	Self
Bailey	Edwards	McLendon (Bullock)	Sessions
Bevill	Gilchrist	Merrill	Smith (Russell)
Broadfoot	Goldthwaite	Oden	Solomon
Brooks	Goodwyn	Powell	Steagall
Casey	Gross	Ray	Thomas
Chambers	Guthrie	Reynolds (Chambers)	Turner
Cook	Ingram	Reynolds (Madison)	

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Nays:

Messrs.	Daniel	Harris	Phillips
Avery	Dodd	Harvey	Pierce
Barnett	Dunn	Jenkins	Ramey
Bassett	Engel	Johnson (Hardaway)	Rast
Bishop	Faulk	Johnson (J. T. Tom)	Roberts
Boyd	Ferguson	Johnston (Leonard)	Rozelle
Brannan	Franklin	Locke	Salter
Branyon	Gilmer	McCorquodale	Smith (St. Clair)
Brewer	Glass	Martin	Speaks
Britton	Grant	Morrow	Sullivan
Cabiness	Hain	Nettles	Torbert
Callahan	Hanby	Oakley	Trimmier
Camp	Hankins	Owens	Turnham
Copeland	Hardy	Perry	Vickers

—55

And the amendment offered by Mr. Branyon was adopted.

Yeas 75; Nays 18.

Yeas:

Mr. Speaker	Dodd	Ingram	Ramey
Adams	Dunn	Jenkins	Rast
Avery	Engel	Johnson (Hardaway)	Reynolds (Madison)
Bailey	Faulk	Johnson (J. T. Tom)	Roberts
Barnett	Ferguson	Johnston (Leonard)	Rozelle
Bassett	Franklin	Long (Perry)	Salter
Bishop	Gilchrist	McClendon (Chambers)	Sessions
Boyd	Gilmer	McCorquodale	Shumate
Brannan	Gordon	McLendon (Bullock)	Smith (Russell)
Branyon	Grant	Martin	Smith (St. Clair)
Brewer	Gross	Morrow	Speaks
Britton	Hain	Nettles	Sullivan
Cabiness	Hanby	Oakley	Thomas
Callahan	Hankins	Oden	Torbert
Camp	Hardy	Owens	Trimmier
Cook	Harris	Perry	Turner
Copeland	Harvey	Phillips	Turnham
Cornett	Hawkins	Pierce	Vickers
Daniel	Hearn	Powell	

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Nays:

Messrs.	Dickson	Lee	Rogers
Albea	Edwards	Locke	Self
Bevill	Glass	Merrill	Solomon
Brooks	Goodwyn	Ray	Steagall
Casey	Jones (Covington)	Reynolds (Chambers)	

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And H. R. 67, as amended, was adopted.

Yeas 67; Nays 22.

Yeas:

Mr. Speaker	Copeland	Hankins	Pierce
Adams	Cornett	Hardy	Ramey
Avery	Daniel	Harris	Rast
Bailey	Dunn	Harvey	Reynolds (Madison)
Barnett	Edwards	Hearn	Rogers
Bassett	Engel	Ingram	Rozelle
Bevill	Faulk	Jenkins	Shumate
Bishop	Franklin	Johnson (J. T. Tom)	Smith (Russell)
Boyd	Gilchrist	Johnston (Leonard)	Smith (St. Clair)
Brannan	Gilmer	McClendon (Chambers)	Speaks
Branyon	Goldthwaite	McCorquodale	Steagall
Britton	Goodwyn	Martin	Sullivan
Cabiness	Gordon	Merrill	Torbert
Callahan	Grant	Nettles	Trimmier
Camp	Gross	Oakley	Turner
Casey	Hain	Owens	Vickers
Cook	Hanby	Phillips	

—67

Nays:

Messrs.	Dickson	Long (Lauderdale)	Reynolds (Chambers)
Albea	Dodd	McLendon (Bullock)	Roberts
Brewer	Ferguson	Morrow	Self
Broadfoot	Jones (Covington)	Perry	Solomon
Brooks	Lee	Powell	Thomas
Chambers	Locke	Ray	

—22

BILLS ON THIRD READING RESUMED
SPECIAL ORDER

The House again proceeded to the consideration of the special order.

And the bill:

H. 99. To amend further Title 34, Sections 27 and 29, Code of Alabama 1940, both of which relate to period of residence requirements in divorce suits.

Was taken up.

Mr. Oden offered the following substitute for the bill, H. 99:

A BILL
TO BE ENTITLED
AN ACT

To abolish all grounds for divorce except adultery; amending Sections 20 and 36, and repealing Sections 21 and 22 of Title 34, Code of Alabama 1940.

Be It Enacted by the Legislature of Alabama:

Section 1. Sections 20 and 36 of Title 34, Code of Alabama 1940 are hereby amended to read as follows:

"Section 20. The circuit court in equity has power to divorce persons from the bonds of matrimony, upon bill filed by the aggrieved party, only on the ground of adultery.

"Section 36. The judge may decree a divorce from bed and board for any cause which would justify a decree from the bonds of matrimony, if the party applying therefor desires only a divorce from bed and board."

Section 2. Sections 21 and 22 of Title 34, Code of Alabama 1940 are hereby expressly repealed.

Section 3. This Act shall take effect immediately upon its enactment, but shall not affect proceedings that were begun before its effective date.

On motion of Mr. Branyon the substitute offered by Mr. Oden was laid upon the table.

Yeas 90; Nays 5.

Yeas:

Mr. Speaker	Daniel	Hawkins	Pierce
Adams	Dickson	Hearn	Powell
Albea	Dodd	Ingram	Ramey
Avery	Dunn	Jenkins	Rast
Bailey	Edwards	Johnson (Hardaway)	Reynolds (Madison)
Barnett	Engel	Johnson (J. T. Tom)	Roberts
Bassett	Faulk	Johnston (Leonard)	Rogers
Bishop	Ferguson	Jones (Covington)	Rozelle
Boyd	Franklin	Lee	Salter
Brannan	Gilchrist	Locke	Sessions
Branyon	Gilmer	Long (Perry)	Shumate
Brewer	Glass	McClendon (Chambers)	Smith (Russell)
Britton	Goldthwaite	McCorquodale	Smith (St. Clair)
Broadfoot	Goodwyn	McLendon (Bullock)	Speaks
Brooks	Gordon	Martin	Steagall
Cabiness	Grant	Merrill	Sullivan
Callahan	Gross	Morrow	Thomas
Camp	Hain	Nettles	Torbert
Casey	Hanby	Oakley	Trimmier
Chambers	Hankins	Owens	Turner
Cook	Hardy	Perry	Turnham
Copeland	Harris	Phillips	Vickers
Cornett	Harvey		

—90

Nays:

Messrs.	Ray	Self	Solomon
Guthrie	Reynolds (Chambers)		

—5

Mr. Goodwyn offered the following substitute for the bill, H. 99:

A BILL
TO BE ENTITLED
AN ACT

To amend further Title 34, Sections 27, 29, and 38, Code of Alabama, 1940, all of which relate to divorce suits.

Be It Enacted by the Legislature of Alabama:

Section 1. Sections 27, 29, and 38 of Title 34, Code of Alabama 1940, as amended, are amended further to read as follows:

"Section 27. No bill can be filed for a divorce on the ground of voluntary abandonment, unless the party applying therefor, whether husband or wife, has been a bona fide resident of this state for twelve months next preceding the filing of the bill which must be alleged in the bill and proved, provided, however, the provisions of this Section shall not be of force and effect when the Court has jurisdiction of both parties and the party applying therefor, whether husband or wife, or the party against whom applied, whether husband or wife, has been a bona fide resident of this state for thirty days next preceding the filing of the bill which must be alleged in the bill and proved.

"Section 29. No bill can be filed for a divorce, unless the party applying therefor, whether husband or wife, has been a bona fide resident of this state for twelve months next preceding the filing of the bill which must be alleged in the bill and proved, provided, however, the provisions of this section shall not be of force and effect when the Court has jurisdiction of both parties and the party applying therefor, whether husband or wife, or the party against whom applied, whether husband or wife, has been a bona fide resident of this state for thirty days next preceding the filing of the bill which must be alleged in the bill and proved. Following the submission of the case to the court an interlocutory decree shall be entered and said interlocutory decree shall become final thirty days next following the granting of the interlocutory decree unless the court revokes its interlocutory decree for good cause, either of its own motion or on the motion of either party, but no such revocation shall be entered unless ten days' notice in writing shall have been served upon the parties.

"Section 38. When a decree has been rendered granting a divorce in this state, the court shall decree that neither party shall again marry except to each other until sixty days after the decree has become final and that if an appeal is taken within sixty days after the decree has become final, neither party shall again marry except to each other during the pendency of said appeal."

Section 2. This Act shall not apply to any case pending in any court on the effective date hereof.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

On motion of Mr. Branyon the substitute offered by Mr. Goodwyn was laid upon the table.

Yeas 68; Nays 27.

Yeas:

Mr. Speaker	Dodd	Harvey	Perry
Adams	Dunn	Hawkins	Phillips
Avery	Edwards	Hearn	Pierce
Barnett	Engel	Ingram	Powell
Bassett	Faulk	Jenkins	Ramey
Bishop	Ferguson	Johnson (Hardaway)	Reynolds (Madison)
Boyd	Franklin	Johnson (J. T. Tom)	Roberts
Brannan	Gilchrist	Johnston (Leonard)	Rozelle
Branyon	Gilmer	McClendon (Chambers)	Sessions
Brewer	Glass	McCorquodale	Shumate
Britton	Grant	Martin	Smith (Russell)
Brooks	Gross	Merrill	Smith (St. Clair)
Cabiness	Hain	Morrow	Speaks
Callahan	Hanby	Nettles	Sullivan
Camp	Hankins	Oakley	Trimmier
Copeland	Hardy	Oden	Turner
Daniel	Harris	Owens	Vickers

—68

Nays:

Messrs.	Cornett	Locke	Rogers
Albea	Dickson	Long (Lauderdale)	Salter
Bailey	Goldthwaite	Long (Perry)	Self
Bevill	Goodwyn	Meade	Solomon
Broadfoot	Guthrie	Rast	Steagall
Casey	Jones (Covington)	Ray	Thomas
Cook	Lee	Reynolds (Chambers)	Torbert

—27

Mr. Branyon moved to lay on the table the motion of Mr. Reynolds (Chambers) to postpone further consideration of the bill, H. 99, until the twenty-second legislative day.

Mr. Guthrie offered as a substitute motion, a motion to postpone further consideration of the bill, H. 99, for fifteen minutes, and on motion of Mr. Branyon the substitute motion of Mr. Guthrie was laid upon the table.

Yeas 84; Nays 7.

Yeas:

Mr. Speaker	Brewer	Dickson	Goldthwaite
Adams	Britton	Dodd	Goodwyn
Avery	Brooks	Dunn	Grant
Bailey	Cabiness	Edwards	Gross
Barnett	Callahan	Engel	Hain
Bassett	Camp	Faulk	Hanby
Bevill	Casey	Ferguson	Hankins
Bishop	Chambers	Franklin	Hardy
Boyd	Copeland	Gilchrist	Harris
Brannan	Cornett	Gilmer	Harvey
Branyon	Daniel	Glass	

Hawkins	McCorquodale	Pierce	Smith (Russell)
Hearn	McClendon (Bullock)	Powell	Smith (St. Clair)
Ingram	Martin	Ramey	Speaks
Jenkins	Merrill	Rast	Steagall
Johnson (Hardaway)	Nettles	Reynolds (Chambers)	Sullivan
Johnson (J. T. Tom)	Oakley	Reynolds (Madison)	Torbert
Johnston (Leonard)	Oden	Roberts	Trimmier
Jones (Covington)	Owens	Rozelle	Turner
Locke	Perry	Salter	Turnham
Long (Perry)	Phillips	Sessions	Vickers
McClendon (Chambers)			

—84

Nays:

Messrs.	Cook	Meade	Self
Albea	Guthrie	Morrow	Shumate

—7

The question was then on the motion of Mr. Branyon to lay on the table the motion of Mr. Reynolds (Chambers) to postpone further consideration of the bill, H. 99, until the twenty-second legislative day, and the motion to lay on the table was adopted.

Yeas 68; Nays 26.

Yeas:

Mr. Speaker	Dodd	Harvey	Ramey
Adams	Dunn	Hawkins	Rast
Avery	Edwards	Hearn	Reynolds (Madison)
Bailey	Engel	Ingram	Roberts
Barnett	Faulk	Jenkins	Rozelle
Bassett	Ferguson	Johnson (Hardaway)	Salter
Bishop	Franklin	Johnston (Leonard)	Sessions
Boyd	Gilchrist	McClendon (Chambers)	Shumate
Brannan	Gilmer	Martin	Smith (Russell)
Branyon	Glass	Morrow	Smith (St. Clair)
Brewer	Grant	Nettles	Speaks
Britton	Gross	Oakley	Sullivan
Cabiness	Hain	Oden	Torbert
Callahan	Hanby	Owens	Trimmier
Camp	Hankins	Phillips	Turner
Chambers	Hardy	Pierce	Turnham
Daniel	Harris	Powell	Vickers

—68

Nays:

Messrs.	Cornett	Locke	Reynolds (Chambers)
Albea	Dickson	Long (Lauderdale)	Rogers
Broadfoot	Goldthwaite	Long (Perry)	Self
Brooks	Goodwyn	Meade	Solomon
Casey	Guthrie	Merrill	Steagall
Cook	Jones (Covington)	Perry	Thomas
Copeland	Lee	Ray	

—26

And said bill, H. 99, was then read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 9.

Yeas:

Mr. Speaker	Daniel	Harvey	Pierce
Adams	Dickson	Hawkins	Powell
Albea	Dodd	Hearn	Ramey
Avery	Dunn	Ingram	Rast
Bailey	Edwards	Jenkins	Reynolds (Madison)
Barnett	Engel	Johnson (Hardaway)	Roberts
Bassett	Faulk	Johnson (J. T. Tom)	Rozelle
Bevill	Ferguson	Johnston (Leonard)	Salter
Bishop	Franklin	Locke	Self
Boyd	Gilchrist	Long (Perry)	Sessions
Brannan	Gilmer	McClendon (Chambers)	Shumate
Branyon	Glass	McCorquodale	Smith (Russell)
Brewer	Goldthwaite	McLendon (Bullock)	Smith (St. Clair)
Britton	Gordon	Martin	Speaks
Brooks	Grant	Merrill	Steagall
Cabiness	Gross	Morrow	Sullivan
Callahan	Guthrie	Nettles	Thomas
Camp	Hain	Oakley	Torbert
Casey	Hanby	Oden	Trimmier
Cook	Hankins	Owens	Turner
Copeland	Hardy	Perry	Turnham
Cornett	Harris	Phillips	Vickers

—88

Nays:

Messrs.	Jones (Covington)	Meade	Reynolds (Chambers)
Broadfoot	Lee	Ray	Solomon
Goodwyn	Long (Lauderdale)		

—9

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Engel to suspend the rules in order to introduce a resolution out of order was adopted.

RESOLUTION

The following resolution was introduced:

By Messrs. Engel and Trimmier:

H. J. R. 68. WHEREAS, Representative John A. Murphy has sustained the loss of his mother, Mrs. Mary Murphy, and

WHEREAS, Mrs. Mary Murphy was also the mother of the late Representative Thomas M. Murphy, and

WHEREAS, throughout her long and useful life she was held in affection and esteem by all who knew her, and

WHEREAS, on July 15th, 1961, having faithfully served on earth the

purpose of her creation, was taken by God to share in the reward of the just, and

WHEREAS, during her life she devoted her energies to the unselfish service of her family and friends, and

WHEREAS, her passing is deeply mourned by the members of her family and friends, now, therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING:

That the members of the Legislature do hereby express their deep regret at the passing of Mrs. Mary Murphy and extend their sincere sympathy to Representative John Murphy and the members of his family.

On motion of Mr. Engel the rules were suspended and H. J. R. 68 was adopted.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Bevill to suspend the rules in order to introduce a resolution out of order was adopted.

RESOLUTION

The following resolution was introduced:

By Messrs. Bevill, Dodd, Bishop, McLendon (Bullock), Long (Lauderdale), Callahan, Gilchrist and Shumate.

H. J. R. 69. WHEREAS, The Alabama Junior Chamber of Commerce is noted for its promotion of economic development of the State and the communities within the State;

WHEREAS, This organization has consistently taken a positive stand for better and more economical government of the State; and

WHEREAS, This organization has declared Tuesday, August 29 as Legislative Day and has planned to visit the Legislature; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we do hereby commend the Alabama Junior Chamber of Commerce for the role it has played in the economic development of the State, and for its active interest and support of better and more economical government. The Legislature cordially welcomes the members of this organization and hopes that their visit will be inspiring.

BE IT FURTHER RESOLVED That copies of this resolution be transmitted to Mr. Warren B. Crow, President of the Alabama Junior Chamber of Commerce and to Mr. Ed Randle, Secretary.

On motion of Mr. Bevill the rules were suspended and H. J. R. 69 was adopted.

BILLS ON THIRD READING RESUMED
SPECIAL ORDER

The House again proceeded to the consideration of the special order.

And the bill:

H. 843. (with substitute). Proposing an amendment to the Constitution of Alabama fixing the number of representatives in the Legislature and apportioning the membership among the several counties, fixing the number of senators and their terms of office and dividing the State into senatorial districts, setting the required frequency of subsequent reapportionment, placing the duty and responsibility for subsequent reapportionment of the legislature upon the legislature itself from and after the first Monday in May, 1971 and prescribing apportionment basis and procedure to be thereafter followed.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Judiciary, said committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

Proposing an amendment to the Constitution of Alabama fixing the number of representatives in the Legislature and apportioning the membership among the several counties, fixing the number of senators and dividing the State into senatorial districts, setting the required frequency of subsequent reapportionment, placing the duty and responsibility for subsequent reapportionment of the legislature upon the legislature itself from and after the first Monday in May, 1971 and prescribing apportionment basis and procedure to be thereafter followed.

Be It Enacted by the Legislature of Alabama:

SECTION 1. The following amendment to the Constitution of Alabama is proposed, and shall become valid as a part thereof when approved by the qualified electors as prescribed by law.

PROPOSED AMENDMENT

1. Sections 50, 198 and the last sentence of Section 284, as amended, of the Constitution of Alabama are hereby expressly repealed.

2. That Section 197 of the Constitution of Alabama be amended to read as follows:

“The Legislature shall consist of not more than forty senators, and not more than one hundred twenty members of the House of Representatives, to be apportioned among the several districts and counties, as prescribed in this Constitution; provided that in addition to the above number of repre-

sentatives, each new county hereafter created shall be entitled to one representative, and provided further that each county shall at all times be entitled to have at least one representative, and provided further that the whole number of senators shall not be less than one-fourth or more than one-third of the whole number of representatives."

3. That Section 199 of the Constitution of Alabama be amended to read as follows:

"From and after the first Monday in May of 1971, the members of the House of Representatives shall be thereafter apportioned by the legislature on the basis and in the manner and at the respective times hereinafter prescribed. The members of the House of Representatives shall then be from time to time apportioned by the legislature among the several counties of the state, according to the number of inhabitants in them, respectively, as ascertained by the latest decennial census of the United States taken, completed and promulgated as to all the counties of the State of Alabama. It shall then be the duty of the legislature at its first session from and after the first Monday in May of 1971 and at its first session after each decennial census of the United States is thereafter taken, completed and promulgated as to all of the counties of the State of Alabama, to fix by law the number of representatives and to make the apportionment of the members of the House of Representatives on the basis and in the manner hereinabove set out, which apportionment, when made, shall not be subject to alteration until the next decennial census of the United States shall have been so taken, completed and promulgated."

4. That Section 200 of the Constitution of Alabama be amended to read as follows:

"From and after the first Monday in May, 1971 the number of senators and senatorial districts shall be thereafter fixed and apportioned by the legislature on the basis and in the manner and at the respective times hereinafter prescribed. It shall then be the duty of the legislature at its first session from and after the first Monday in May of 1971, and at its first session after each decennial census of the United States has been thereafter taken, completed and promulgated as to all the counties of the State of Alabama, to fix by law the number of senators, and to divide the state into as many senatorial districts as there are senators, which districts shall be as nearly equal to each other in the number of the inhabitants as may be, and each district shall be entitled to one senator and no more; and such districts, when formed, shall not be changed until the next apportioning session of the legislature after the next decennial census of the United States shall have been so taken, completed and promulgated; provided, that counties created after the next preceding apportioning session of the legislature may be attached to senatorial districts. No county shall be divided between two districts, and no district shall be made up of two or more counties not contiguous to each other."

5. That Section 202 of the Constitution of Alabama be amended to read as follows:

"Until the Legislature shall make an apportionment of representatives among the several counties as herein provided, the counties of Autauga, Barbour, Bibb, Blount, Bullock, Butler, Cherokee, Chilton, Choctaw, Clarke, Clay, Cleburne, Conecuh, Coosa, Crenshaw, Fayette, Franklin, Geneva, Greene, Hale, Henry, Lamar, Lawrence, Lowndes, Macon, Marengo, Marion,

Monroe, Perry, Pickens, Pike, Randolph, St. Clair, Sumter, Washington, Wilcox, and Winston, shall each have and elect one representative; the counties of Baldwin, Chambers, Coffee, Colbert, Covington, Cullman, Dale, Dallas, DeKalb, Elmore, Escambia, Houston, Jackson, Lauderdale, Lee, Limestone, Marshall, Morgan, Russell, Shelby, Talladega, Tallapoosa, and Walker shall each have and elect two representatives; the counties of Calhoun and Etowah shall each have and elect three representatives; The counties of Tuscaloosa and Madison shall each have and elect four representatives; the county of Montgomery shall have and elect five representatives; the county of Mobile shall have and elect six representatives; and the county of Jefferson shall have and elect twelve representatives."

6. That Section 203 of the Constitution of Alabama be amended to read as follows:

"Until the Legislature shall divide the State into senatorial districts as provided in this Constitution, the senatorial districts shall be as follows, each district to have and elect one senator: First district, Lauderdale; second district, Morgan; third district, Blount and Cullman; fourth district, Madison; fifth district, Jackson and Marshall; sixth district, Etowah; seventh district, Calhoun; eighth district, Talladega; ninth district, Chambers and Randolph; tenth district, Tallapoosa and Coosa; eleventh district, Tuscaloosa; twelfth district, Fayette and Lamar; thirteenth district, Jefferson; fourteenth district, Lawrence and Limestone; fifteenth district, Autauga and Elmore; sixteenth district, Lowndes and Wilcox; seventeenth district, Butler and Conecuh; eighteenth district, Bibb and Chilton; nineteenth district, Choctaw and Washington; twentieth district, Marengo and Sumter; twenty-first district, Baldwin and Clarke; twenty-second district, Escambia and Monroe; twenty-third district, Dale and Henry; twenty-fourth district, Barbour and Pike; twenty-fifth district, Coffee and Crenshaw; twenty-sixth district, Bullock and Macon; twenty-seventh district, Lee and Russell; twenty-eighth district, Montgomery; twenty-ninth district, Cherokee and DeKalb; thirtieth district, Dallas; thirty-first district, Colbert and Franklin; thirty-second district, Hale and Perry; thirty-third district; Mobile; thirty-fourth district, Clay and Cleburne; thirty-fifth district, Houston; thirty-sixth district, Marion and Winston; thirty-seventh district, Shelby and St. Clair; thirty-eighth district, Geneva and Covington; thirty-ninth district, Greene and Pickens; fortieth district, Walker.

In districts consisting of more than one county the senator shall not be elected for more than one term consecutively from any one county in the district, but shall reside in and be elected alternately and in turn from each of the counties within such district. The first senator to be elected in such districts shall reside in the county having the largest population, except where that county had the last preceding senator.

7. The members of the Legislature provided for herein shall be elected at the general election to be held in November, 1962, and every four years thereafter, until the Legislature is reapportioned as prescribed by this Constitution.

SECTION 2. An election upon the proposed amendment is ordered to be held on the first Tuesday after the expiration of three months from the final adjournment of the current session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17 of the Code of Alabama (1940).

SECTION 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the State. In every county in which no newspaper is published, a copy of the notice shall be posted at each courthouse and post office.

POINT OF ORDER

Mr. Long (Perry) raised a point of order that there was no author of the bill, H. 843, and the Speaker ruled that Mr. Long's (Perry) point of order was not well taken.

The question was upon the adoption of the substitute reported by the Standing Committee on Judiciary, and said substitute was lost.

Yeas 44; Nays 49.

Yeas:

Mr. Speaker	Camp	Gross	Ray
Adams	Casey	Hanby	Reynolds (Madison)
Albea	Copeland	Hankins	Roberts
Bailey	Dodd	Harris	Rozelle
Bevill	Edwards	Hearn	Self
Bishop	Engel	Ingram	Sessions
Branyon	Faulk	Johnson (Hardaway)	Shumate
Brewer	Franklin	Locke	Smith (Russell)
Broadfoot	Gilchrist	Long (Lauderdale)	Smith (St. Clair)
Cabiness	Goodwyn	Meade	Steagall
Callahan	Gordon	Merrill	Turner

—44

Nays:

Messrs.	Dunn	Lee	Powell
Avery	Ferguson	McClendon (Chambers)	Ramey
Barnett	Gilmer	McCorquodale	Rast
Bassett	Glass	McLendon (Bullock)	Rogers
Boyd	Goldthwaite	Martin	Salter
Brannan	Grant	Morrow	Solomon
Britton	Guthrie	Nettles	Speaks
Brooks	Hain	Oakley	Sullivan
Chambers	Hardy	Owens	Thomas
Cook	Harvey	Perry	Torbert
Cornett	Jenkins	Phillips	Trimmier
Daniel	Johnson (J. T. Tom)	Pierce	Turnham
Dickson	Johnston (Leonard)		

—49

Mr. Perry offered the following substitute for the bill, H. 843:

A BILL
TO BE ENTITLED
AN ACT

Proposing an amendment to the Constitution of Alabama fixing the number of representatives in the Legislature and apportioning the mem-

bership among the several counties, fixing the number of senators and dividing the State into senatorial districts.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is proposed, and shall become valid as a part thereof when approved by the qualified electors as prescribed by law.

PROPOSED AMENDMENT

"Section 1. The House of Representatives of Alabama shall consist of 106 representatives, apportioned among the several counties according to population, as ascertained by the 1950 decennial census of the United States, as follows: Those counties of under 40,000 population shall each have and elect one representative; those counties having a population of 40,000 to 60,000 shall each have and elect two representatives; those counties having a population of more than 60,000, but not more than 130,000, shall each have and elect three representatives; those counties having a population of more than 130,000, but not more than 225,000, shall each have and elect four representatives; those counties having a population of more than 225,000, but not more than 500,000, shall each have and elect five representatives; those counties having a population of over 500,000 shall each have and elect ten representatives.

"Section 2. The State is hereby divided into thirty-five senatorial districts, as follows, each district to have and elect one senator: First, Lauderdale and Limestone; second, Jackson and Madison; third, Lawrence and Morgan; fourth, Colbert and Franklin; fifth, Calhoun and Cleburne; sixth, Marion and Winston; seventh, DeKalb and Marshall; eighth, Lamar and Pickens; ninth, Fayette and Walker; tenth, Cherokee and Etowah; eleventh, Blount and Cullman; twelfth, St. Clair and Talladega; thirteenth, Jefferson; fourteenth, Bibb and Tuscaloosa; fifteenth, Chilton and Shelby; sixteenth, Chambers and Randolph; seventeenth, Clay and Coosa; eighteenth, Macon and Tallapoosa; nineteenth, Lee and Russell; twentieth, Mobile; twenty-first, Henry and Houston; twenty-second, Barbour and Bullock; twenty-third, Butler and Lowndes; twenty-fourth, Coffee and Covington; twenty-fifth, Crenshaw and Pike; twenty-sixth, Autauga and Elmore; twenty-seventh, Dale and Geneva; twenty-eighth, Conecuh and Escambia; twenty-ninth, Baldwin and Monroe; thirtieth, Clarke and Washington; thirty-first, Choctaw and Sumter; thirty-second, Dallas and Perry; thirty-third, Greene and Hale; thirty-fourth, Marengo and Wilcox; thirty-fifth, Montgomery.

"Section 3. The members of the Legislature provided for in this amendment shall be elected at the general election to be held in November, 1962, and every four years thereafter, until the Legislature is reapportioned as prescribed by law."

Section 2. An election upon the proposed amendment is ordered to be held on the first Tuesday after the expiration of three months from the final adjournment of the current session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17 of the Code of Alabama 1940.

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be pub-

lished once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the State. In every county in which no newspaper is published, a copy of the notice shall be posted at each courthouse and post office.

On motion of Mr. Brewer the substitute offered by Mr. Perry was laid upon the table.

Yeas 62; Nays 32.

Yeas:

Mr. Speaker	Chambers	Hearn	Pierce
Adams	Cook	Ingram	Powell
Albea	Copeland	Jenkins	Ramey
Avery	Cornett	Johnson (Hardaway)	Reynolds (Chambers)
Barnett	Daniel	Johnson (J. T. Tom)	Reynolds (Madison)
Bassett	Dodd	Johnston (Leonard)	Roberts
Bishop	Ferguson	Jones (Covington)	Rogers
Boyd	Gilchrist	Lee	Rozelle
Brannan	Goldthwaite	Long (Lauderdale)	Self
Branyon	Gordon	Long (Perry)	Smith (Russell)
Brewer	Grant	McClendon (Chambers)	Smith (St. Clair)
Broadfoot	Gross	McLendon (Bullock)	Speaks
Cabiness	Guthrie	Martin	Steagall
Callahan	Hanby	Meade	Turner
Camp	Hankins	Merrill	Vickers
Casey	Harvey		

—62

Nays:

Messrs.	Faulk	Morrow	Salter
Bailey	Franklin	Nettles	Sessions
Bevill	Glass	Oakley	Solomon
Britton	Goodwyn	Oden	Sullivan
Brooks	Harris	Perry	Thomas
Dickson	Hawkins	Phillips	Torbert
Dunn	Locke	Rast	Trimmier
Edwards	McCorquodale	Ray	Turnham
Engel			

—32

The motion of Mr. Gilchrist to suspend the rules in order to place the name of Mr. Goldthwaite back as author of the bill, H. 843, was lost.

Yeas 50; Nays 42.

Yeas:

Mr. Speaker	Casey	Gross	Long (Lauderdale)
Adams	Cook	Guthrie	Meade
Albea	Copeland	Hanby	Merrill
Bailey	Dodd	Hankins	Morrow
Bevill	Edwards	Harris	Perry
Bishop	Engel	Hawkins	Rast
Brannan	Franklin	Hearn	Ray
Branyon	Gilchrist	Ingram	Reynolds (Madison)
Brewer	Goldthwaite	Johnson (Hardaway)	Roberts
Broadfoot	Goodwyn	Jones (Covington)	Rozelle
Camp	Gordon	Locke	Self

Smith (Russell)
Smith (St. Clair)

Speaks
Steagall

Turner

Vickers

—50

Nays:

Messrs.
Avery
Barnett
Bassett
Boyd
Britton
Brooks
Cabiness
Chambers
Cornett
Daniel

Dickson
Dunn
Ferguson
Gilmer
Glass
Grant
Hain
Hardy
Harvey
Jenkins
Johnson (J. T. Tom)

Johnston (Leonard)
Lee
Long (Perry)
McCorquodale
McLendon (Bullock)
Martin
Nettles
Oakley
Phillips
Pierce
Powell

Ramey
Reynolds (Chambers)
Rogers
Sessions
Solomon
Sullivan
Thomas
Torbert
Trimmier
Turnham

—42

The motion of Mr. Nettles to indefinitely postpone the bill, H. 843, was lost.

Yeas 42; Nays 51.

Yeas:

Messrs.
Albea
Avery
Barnett
Bassett
Boyd
Brannan
Britton
Brooks
Callahan
Chambers

Cornett
Daniel
Dickson
Dunn
Gilmer
Glass
Grant
Hain
Hardy
Harvey
Jenkins

Johnson (J. T. Tom)
Johnston (Leonard)
Lee
Long (Perry)
McClendon (Chambers)
McCorquodale
McLendon (Bullock)
Martin
Merrill
Nettles
Oakley

Phillips
Powell
Ramey
Rogers
Salter
Solomon
Sullivan
Thomas
Trimmier
Turnham

—42

Nays:

Mr. Speaker
Adams
Bailey
Bevill
Bishop
Branyon
Brewer
Broadfoot
Cabiness
Camp
Cook
Copeland
Dodd

Edwards
Engel
Ferguson
Franklin
Gilchrist
Goldthwaite
Goodwyn
Gordon
Gross
Guthrie
Hanby
Hankins
Harris

Hawkins
Hearn
Johnson (Hardaway)
Jones (Covington)
Locke
Long (Lauderdale)
Meade
Morrow
Oden
Perry
Pierce
Rast
Ray

Reynolds (Chambers)
Reynolds (Madison)
Roberts
Rozelle
Self
Sessions
Smith (Russell)
Smith (St. Clair)
Speaks
Steagall
Turner
Vickers

—51

On motion of Mr. Brewer the motion of Mr. Dunn to postpone further

consideration of the bill, H. 843, until the thirtieth legislative day was laid upon the table.

Yeas 52; Nays 41.

Yeas:

Mr. Speaker	Dodd	Harris	Perry
Adams	Edwards	Hawkins	Ray
Bailey	Engel	Hearn	Reynolds (Chambers)
Bevill	Ferguson	Ingram	Reynolds (Madison)
Bishop	Franklin	Jenkins	Roberts
Branyon	Gilchrist	Johnson (Hardaway)	Rozelle
Brewer	Gilmer	Johnston (Leonard)	Self
Broadfoot	Goodwyn	Locke	Sessions
Cabiness	Gordon	Long (Lauderdale)	Smith (Russell)
Camp	Gross	Martin	Smith (St. Clair)
Casey	Guthrie	Meade	Steagall
Cook	Hanby	Morrow	Turner
Copeland	Hankins	Oden	Vickers

—52

Nays:

Messrs.	Cornett	Jones (Covington)	Pierce
Albea	Daniel	Lee	Powell
Avery	Dickson	Long (Perry)	Rogers
Barnett	Dunn	McClendon (Chambers)	Salter
Bassett	Glass	McCorquodale	Solomon
Boyd	Goldthwaite	McLendon (Bullock)	Speaks
Brannan	Grant	Merrill	Sullivan
Britton	Hain	Nettles	Thomas
Brooks	Hardy	Oakley	Trimmier
Callahan	Harvey	Phillips	Turnham
Chambers	Johnson (J. T. Tom)		

—41

The motion of Mr. Goldthwaite to postpone further consideration of the bill, H. 843, until the twenty-second legislative day was lost.

Yeas 39; Nays 55.

Yeas:

Mr. Speaker	Edwards	Harris	Reynolds (Madison)
Albea	Engel	Hawkins	Rozelle
Bailey	Faulk	Hearn	Shumate
Bevill	Franklin	Ingram	Smith (Russell)
Bishop	Gilchrist	Johnson (J. T. Tom)	Smith (St. Clair)
Branyon	Goldthwaite	Johnston (Leonard)	Speaks
Broadfoot	Goodwyn	Locke	Steagall
Cabiness	Gordon	Long (Lauderdale)	Turner
Casey	Gross	Meade	Vickers
Dodd	Hankins	Pierce	

—39

Nays:

Messrs.	Avery	Bassett	Brannan
Adams	Barnett	Boyd	Britton

Brooks	Glass	McClendon (Chambers)	Ramey
Callahan	Grant	McCorquodale	Rast
Camp	Guthrie	McLendon (Bullock)	Ray
Chambers	Hain	Martin	Reynolds (Chambers)
Cook	Hanby	Merrill	Rogers
Copeland	Hardy	Morrow	Self
Cornett	Harvey	Nettles	Sessions
Daniel	Jenkins	Oakley	Solomon
Dickson	Johnson (Hardaway)	Oden	Sullivan
Dunn	Jones (Covington)	Perry	Thomas
Ferguson	Lee	Phillips	Trimmier
Gilmer	Long (Perry)	Powell	Turnham

—55

And said bill, H. 843, was then read a third time at length and lost.

Yeas 41; Nays 54.

Yeas:

Mr. Speaker	Franklin	Hearn	Ray
Bailey	Gilchrist	Ingram	Reynolds (Madison)
Bevill	Goldthwaite	Johnson (Hardaway)	Roberts
Bishop	Goodwyn	Locke	Self
Branyon	Gordon	Long (Lauderdale)	Sessions
Broadfoot	Guthrie	Morrow	Shumate
Cook	Hanby	Oden	Smith (Russell)
Copeland	Hankins	Perry	Steagall
Dodd	Harris	Pierce	Turner
Edwards	Hawkins	Rast	Vickers
Engel			

—41

Nays:

Messrs.	Casey	Jenkins	Phillips
Adams	Chambers	Johnson (J. T. Tom)	Powell
Albee	Cornett	Johnston (Leonard)	Ramey
Avery	Daniel	Jones (Covington)	Reynolds (Chambers)
Barnett	Dickson	Lee	Rogers
Bassett	Dunn	Long (Perry)	Rozelle
Boyd	Ferguson	McClendon (Chambers)	Salter
Brannan	Gilmer	McCorquodale	Smith (St. Clair)
Brewer	Glass	McLendon (Bullock)	Solomon
Britton	Grant	Martin	Speaks
Brooks	Gross	Meade	Sullivan
Cabiness	Hain	Merrill	Trimmier
Callahan	Hardy	Nettles	Turnham
Camp	Harvey	Oakley	

—54

PAIR ANNOUNCED

Mr. Thomas announced that he was paired with Mr. Cates. If Mr. Cates were present he would vote "yea" and Mr. Thomas would vote "nay".

Mr. Oakley moved to reconsider the vote by which the bill, H. 843, was lost, and to lay his motion on the table.

Mr. Brewer called for a division of the question.

The question was then on the motion of Mr. Oakley to lay on the table his motion to reconsider the vote by which the bill, H. 843, was lost, and said motion was lost.

Yeas 44; Nays 50.

Yeas:

Messrs.	Daniel	Johnston (Leonard)	Powell
Adams	Dickson	Lee	Ramey
Avery	Dunn	Long (Perry)	Reynolds (Chambers)
Barnett	Ferguson	McClendon (Chambers)	Roberts
Boyd	Gilmer	McCorquodale	Rogers
Brannan	Grant	McLendon (Bullock)	Solomon
Britton	Hain	Martin	Speaks
Brooks	Hardy	Merrill	Sullivan
Cabiness	Harvey	Nettles	Thomas
Callahan	Jenkins	Oakley	Trimmier
Chambers	Johnson (J. T. Tom)	Phillips	Turnham
Cornett			

—44

Nays:

Mr. Speaker	Edwards	Hearn	Ray
Albea	Engel	Ingram	Reynolds (Madison)
Bailey	Franklin	Johnson (Hardaway)	Rozelle
Bevill	Gilchrist	Jones (Covington)	Salter
Bishop	Glass	Locke	Self
Branyon	Goldthwaite	Long (Lauderdale)	Sessions
Brewer	Goodwyn	Meade	Shumate
Broadfoot	Gordon	Morrow	Smith (Russell)
Camp	Guthrie	Oden	Smith (St. Clair)
Casey	Hanby	Perry	Steagall
Cook	Hankins	Pierce	Turner
Copeland	Harris	Rast	Vickers
Dodd	Hawkins		

—50

Mr. Brewer moved to postpone the motion of Mr. Oakley to reconsider the vote by which the bill, H. 843, was lost, until the next legislative day.

Mr. Oakley moved to lay on the table the motion of Mr. Brewer, and said motion was lost.

Yeas 47; Nays 48.

Yeas:

Messrs.	Britton	Dickson	Hain
Adams	Brooks	Dunn	Harvey
Avery	Cabiness	Ferguson	Jenkins
Barnett	Callahan	Gilmer	Johnson (J. T. Tom)
Bassett	Chambers	Glass	Johnston (Leonard)
Boyd	Cornett	Grant	Lee
Brannan	Daniel	Gross	Long (Perry)

McClendon (Chambers)	Nettles	Reynolds (Chambers)	Speaks
McCorquodale	Oakley	Rogers	Sullivan
McLendon (Bullock)	Phillips	Salter	Thomas
Martin	Powell	Smith (St. Clair)	Trimmier
Merrill	Ramey	Solomon	Turnham

—47

Nays:

Mr. Speaker	Dodd	Hawkins	Rast
Albea	Edwards	Hearn	Ray
Bailey	Engel	Ingram	Reynolds (Madison)
Bevill	Franklin	Johnson (Hardaway)	Roberts
Bishop	Gilchrist	Jones (Covington)	Rozelle
Branyon	Goldthwaite	Locke	Self
Brewer	Goodwyn	Long (Lauderdale)	Sessions
Broadfoot	Gordon	Meade	Shumate
Camp	Guthrie	Morrow	Smith (Russell)
Casey	Hanby	Oden	Steagall
Cook	Hankins	Perry	Turner
Copeland	Harris	Pierce	Vickers

—48

The question was then on the motion of Mr. Brewer to postpone the motion of Mr. Oakley to reconsider the vote by which the bill, H. 843, was lost, until the next legislative day.

ADJOURNMENT

On motion of Mr. Reynolds (Chambers) the House adjourned until Friday, July 21, 1961, at ten o'clock A. M.

Yeas 50; Nays 45.

Yeas:

Messrs.	Dickson	Johnson (J. T. Tom)	Phillips
Albea	Dodd	Johnston (Leonard)	Ramey
Bassett	Dunn	Lee	Reynolds (Chambers)
Bishop	Ferguson	Locke	Reynolds (Madison)
Boyd	Gilchrist	Long (Lauderdale)	Rozelle
Branyon	Glass	Martin	Self
Brewer	Gordon	Meade	Sessions
Broadfoot	Grant	Merrill	Shumate
Brooks	Gross	Morrow	Smith (St. Clair)
Cabincss	Hankins	Nettles	Speaks
Casey	Hawkins	Oakley	Thomas
Cornett	Ingram	Oden	Trimmier
Daniel	Jenkins	Perry	

—50

Nays:

Mr. Speaker	Brannan	Copeland	Gilmer
Adams	Britton	Edwards	Goldthwaite
Avery	Camp	Engel	Goodwyn
Barnett	Chambers	Faulk	Guthrie
Bevill	Cook	Franklin	Hain

Hanby	McCorquodale	Ray	Steagall
Hardy	McLendon (Bullock)	Roberts	Sullivan
Harris	Owens	Rogers	Torbert
Harvey	Pierce	Salter	Turner
Johnson (Hardaway)	Powell	Smith (Russell)	Turnham
Jones (Covington)	Rast	Solomon	Vickers
Long (Perry)			

—45

 TWENTY FIRST DAY

House of Representatives
 Montgomery, Alabama
 Friday, July 21, 1961

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Frank Hixon, Superintendent, Montgomery Baptist Association, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Dickson	Ingram	Pruitt
Adams	Dodd	Jenkins	Ramey
Albea	Dunn	Johnson (Hardaway)	Rast
Avery	Edwards	Johnson (J. T. Tom)	Ray
Bailey	Engel	Johnston (Leonard)	Reynolds (Chambers)
Barnett	Faulk	Jones (Covington)	Roberts
Bassett	Ferguson	Lee	Rogers
Bevill	Franklin	Locke	Rozelle
Bishop	Gilmer	Long (Lauderdale)	Salter
Boyd	Glass	Long (Perry)	Self
Brannan	Goldthwaite	McClendon (Chambers)	Sessions
Branyon	Goodwyn	McCorquodale	Shumate
Britton	Gordon	Martin	Smith (Russell)
Broadfoot	Grant	Meade	Smith (St. Clair)
Brooks	Gross	Merrill	Solomon
Cabiness	Grouby	Morrow	Speaks
Callahan	Guthrie	Murphy	Steagall
Camp	Hain	Nettles	Sullivan
Casey	Hanby	Oakley	Taylor
Cates	Hankins	Oden	Thomas
Chambers	Hardy	Owens	Torbert
Cook	Harris	Perry	Trimmier
Copeland	Harvey	Phillips	Turner
Cornett	Hawkins	Pierce	Turnham
Daniel	Hearn	Powell	Vickers

—100

A quorum was present.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Messrs. Porter, Andrews, Gaither and Wyatt:

S. 246. To authorize Recorders in municipal courts to issue search warrants directed to municipal marshalls or policemen and to provide the circumstances under which such search warrants may be issued.

Also:

By Mr. Turner:

S. 248. To regulate sentence to hard labor for nonpayment of costs; amending Section 342 of Title 15, and Section 84 of Title 45, Code of Alabama 1940, in relation to the per diem rate of working out costs.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 246. Judiciary

S. 248. Judiciary

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Messrs. Samford and Hines:

S. 137. To provide insulation from liability to banks, brokers, issuers, third parties and transfer agents who handle securities and security transactions with minors, unless such bank, broker, issuer, third party or transfer agent has written notice of minority prior to such transaction, to authorize payment of dividends on stock and other moneys to minors; and to prevent disaffirmance or avoidance of certain security transactions by a minor.

Also:

By Messrs. Samford and Hines:

S. 138. To permit executors, administrators and trustees to acquire, hold and dispose of interests in partnerships and to form new partnerships, both general and limited, in a fiduciary capacity, and to limit the liability of such executors, administrators, and trustees so acting to the assets of such estate or trust.

Also:

By Messrs. Samford and Hines:

S. 139. To establish the validity of bequests and devises made by will to the trustee or trustees of an existing trust.

Also:

By Messrs. Samford and Hines:

S. 140. To amend Section 5 of Act No. 247, S. 69, approved July 29, 1953 (Acts of Alabama, 1953, p. 311) entitled "An Act relating to banks and banking; to provide for the retention and disposition of bank records, and for other purposes," as previously amended by Act No. 638, H. 713, approved November 19, 1959 (Acts of Alabama, 1959, p. 1554), in order to clarify said Act, as amended, so that it will be clear that the books and records referred to in Section 2 of said Act, as amended, may be reproduced and the originals destroyed in the same manner as in the case of other books and records.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 137. Judiciary

S. 138. Judiciary

S. 139. Judiciary

S. 140. Judiciary

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Messrs. Samford and Hines:

S. 141. To amend Section 1 of Act No. 306, H. 253, approved July 7th, 1945 (General Acts of Alabama, 1945, page 499) entitled "An Act to relieve from the operation of any existing laws against perpetuities or suspension of the power of alienation of title to property a trust of real or personal property created by an employer as a part of the stock bonus plan, pension plan, disability or death benefit plan, or profit sharing plan for the exclusive benefit of some or all of the employer's employees" by further relieving such trusts from the operation of any existing laws against trusts for the accumulation of income, and by extending the coverage of said Act, as amended, to retirement trusts created by self-employed persons, and to trusts created for the collective investment of the funds of any trusts within the coverage of this Act, as amended.

Also:

By Messrs. Samford and Hines:

S. 142. Providing that the designation of beneficiaries of any trust set up for any group of employees shall be valid and that any trustee or other person may properly make payments to any person designated as a beneficiary of such a trust.

Also:

By Messrs. Samford and Hines:

S. 143. Relating to the registration and transfer of securities by fiduciaries, and defining and limiting liability with respect thereto, and to make uniform the law with reference thereto, and to repeal Section 3 of Act 557, S. 174, approved July 7, 1943 (General Acts of Alabama, 1943, page 544) known as the Uniform Fiduciaries Act.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 141. Judiciary

S. 142. Judiciary

S. 143. Judiciary

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 65. Commending Governor John Patterson on his comments made at the National Governors Conference in Honolulu.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and sends same herewith to the House:

By Messrs. Shelton and Berryman:

S. 240. To prohibit the possession, sale, disposal, use or explosion of fireworks in Alabama, to prescribe penalties for any violation of this Act or any regulation promulgated under its authority, and to repeal conflicting laws.

Also:

By Mr. deGraffenried:

S. 242. To suppress traffic in obscene publications, defining terms, prescribing penalties, and providing enforcement procedures against residents or non-residents.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 240. St. Administration

S. 242. Judiciary

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Messrs. Gaither, Cooper, Andrews, Robison, deGraffenried, Haltom, Jones, Graham, Rutledge, Webb, Shelton, Moses, Word, Crawford, Turner, Givhan, Golson, Hines, Samford, Leonard, Godfrey, Roberts and Porter:

S. 133. To provide for and regulate elections in the cities and towns of 300,000 population or less which have a commission form of government: designating the date for regular elections, and authorizing the board of commissioners to call special elections; prescribing the manner of giving notice of municipal elections, of designating voting places, and of appointing and compensating election officers; providing for the preparation of ballots and voting machines for such elections; prescribing the manner of casting ballots, counting the votes, and making returns of elections; providing for absentee voting at such elections; providing for and requiring a second or run-off election whenever no candidate receives a majority of the votes cast; designating certain acts and omissions relative to municipal elections as offenses and prescribing penalties therefor; prescribing the grounds on which such elections may be contested and the procedure for contests thereof; and providing that the costs of municipal elections shall be paid by the city or town holding such elections.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bill, the title to which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 133. Local Government

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 68. Expressing deep regret at the passing of Mrs. Mary Murphy.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 69. Commending the Alabama Junior Chamber of Commerce and welcoming this group on August 29 for a visit to the Legislature.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 246. To amend Section 3 of Act No. 351, General Acts of 1947, page 231, approved August 14, 1947, same being an act "To provide for auditing periodically the books, accounts, vouchers, and records of public officers, agencies, and institutions: creating a Department of Examiners of Public Accounts and a supervisory Legislative Committee on Public Accounts; abolishing the Division of Examiners of Public Accounts of the Department of Finance and transferring its functions, funds, books, records, furniture, fixtures, supplies, equipment, and personnel; and prescribing penalties for violations of this Act."

J. E. SPEIGHT,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill and House Joint Resolutions, to-wit:

H. 246. To amend Section 3 of Act No. 351, General Acts of 1947, page 231, approved August 14, 1947, same being an act "To provide for auditing periodically the books, accounts, vouchers, and records of public officers, agencies, and institutions: creating a Department of Examiners of Public Accounts and a supervisory Legislative Committee on Public Accounts; abolishing the Division of Examiners of Public Accounts of the Department of Finance and transferring its functions, funds, books, records, furniture, fixtures, supplies, equipment, and personnel; and prescribing penalties for violations of this Act."

Also:

H. J. R. 65. Relative to commending Governor John Patterson for the excellence of his comments at the National Governors Conference in Honolulu.

Also:

H. J. R. 68. Relative to the death of Mrs. Mary Murphy.

And finds same correctly enrolled.

VIRGIS M. ASHWORTH,
Chairman.

SIGNING OF BILL AND HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately

after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill and House Joint Resolutions, the titles to which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 69. Relative to the Junior Chamber of Commerce declaring Tuesday, August 29 as Legislative Day.

And finds same correctly enrolled.

VIRGIS M. ASHWORTH,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolutions, your signature thereto is requested:

S. J. R. 29. Memorializing the Secretary of Agriculture of the United States to bring about competitive equality of all sections of the Cotton Belt in the export of cotton.

S. J. R. 30. Resolving that it was not the intention of the Legislature that amendment of the Alabama GI and Dependents Education Act of 1957 should require graduation from high school as a prerequisite to receive benefits under said act.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolutions, the titles to which are set out in the above and foregoing Message from the Senate.

MOTION TO RECONSIDER LOST

The motion of Mr. Oakley offered on the last legislative day to reconsider the vote by which the bill, H. 843, was lost, was lost.

Yeas 43; Nays 48.

Yeas:

Messrs.	Copeland	Harris	Perry
Albea	Dodd	Hawkins	Ray
Bishop	Edwards	Johnson (Hardaway)	Roberts
Branyon	Engel	Locke	Rozelle
Broadfoot	Ferguson	Long (Lauderdale)	Self
Cabiness	Franklin	Meade	Sessions
Callahan	Goldthwaite	Merrill	Shumate
Camp	Gross	Morrow	Smith (Russell)
Casey	Guthrie	Murphy	Smith (St. Clair)
Cates	Hanby	Oden	Steagall
Cook	Hankins	Owens	Turner

—43

Nays:

Mr. Speaker	Daniel	Johnson (J. T. Tom)	Pruitt
Adams	Dickson	Johnston (Leonard)	Ramey
Avery	Dunn	Lee	Rast
Bailey	Gilmer	Long (Perry)	Rogers
Barnett	Glass	McClendon (Chambers)	Salter
Bassett	Gordon	McCorquodale	Solomon
Boyd	Grant	Martin	Sullivan
Brannan	Hain	Nettles	Taylor
Britton	Hardy	Oakley	Thomas
Brooks	Harvey	Phillips	Torbert
Chambers	Ingram	Pierce	Trimmier
Cornett	Jenkins	Powell	Turnham

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MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. McCorquodale to suspend the rules in order to introduce a resolution out of order was adopted.

RESOLUTION

The following resolution was introduced:

By Messrs. McCorquodale, Goodwyn, Britton, Bailey, Cabiness, Branyon, Bishop, Hankins, Broadfoot, Ramey, McClendon (Chambers), Martin, Jenkins, Harvey, Daniel, Dodd, Rast, Chambers, Gross, Steagall, Powell, Cornett, Oakley, Copeland, Sessions, Gilmer, Hearn, Solomon, Sullivan, Phillips, Guthrie, Hawkins, Pierce, Nettles, Roberts, Callahan and Trimmier.

H. J. R. 70. WHEREAS, in the heat of debate concerning needed funds for Educational Facilities in Alabama certain statements have been

made and duly reported by the press tending to reflect unfavorably on the ability of the administrative staff and the President of the University of Alabama; and

WHEREAS the University of Alabama, under the very able and dynamic leadership and direction of Dr. Frank A. Rose, the Board of Trustees and the administrative staff of this state institution have, in the opinion of this legislature, made every effort to strengthen and improve all twelve colleges and centers comprising said University insofar as funds have been available and as appropriated by this legislature; and

WHEREAS, due to the leadership and energetic drive of Dr. Rose and his administrative staff in cooperation with the Board of Trustees of the University of Alabama in formulating and carrying out the Greater University of Alabama development program 4.5 million dollars has been recently raised and is being utilized in order that the scientific program at the University of Alabama might be greatly strengthened without the necessity of additional taxation being placed on the people of Alabama; and

WHEREAS, under the guidance of Dr. Rose and policies adopted by Dr. Rose, the Board of Trustees and the administrative staff of the University of Alabama, the academic level of this state University has been and is being constantly improved and strengthened with additions to the faculty and much needed physical facilities being constructed as funds are made available; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Legislature of Alabama goes on record as reaffirming its complete confidence in the leadership and ability of Dr. Frank A. Rose and the administrative staff of the University of Alabama and the Board of Trustees of the University of Alabama in furthering the program of higher education at the University of Alabama in the best interests of all the people of Alabama.

RESOLVED FURTHER, That a copy of this resolution be forwarded to Dr. Frank A. Rose, President of the University of Alabama, and to each member of the Board of Trustees of the University of Alabama; that copies be made available to the administrative staff of the University of Alabama; and that the contents of this resolution be brought to the attention of the people of Alabama.

On motion of Mr. McCorquodale the rules were suspended and H. J. R. 79 was adopted.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Branyon to suspend the rules in order to introduce local bills out of order was adopted.

INTRODUCTION OF BILLS

The following bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Branyon (with notice and proof):

H. 1057. To direct and require the commissioner of revenue and the state department of revenue to collect any sales and use taxes now or hereafter levied in the town of Berry, Fayette County, under the provisions of any ordinance or resolution duly promulgated and adopted by the governing body of said town; to prescribe the powers, duties, and authority of the commissioner of revenue, the state department of revenue, and the comptroller with respect to the method or procedure for collecting such taxes and remitting the proceeds thereof.

Local Legislation No. 1.

Notice and Proof H. 1057.

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF FAYETTE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To direct and require the commissioner of revenue and the state department of revenue to collect any sales and use taxes now or hereafter levied in the town of Berry, Fayette County, under the provisions of any ordinance or resolution duly promulgated and adopted by the governing body of said town; to prescribe the powers, duties, and authority of the commissioner of revenue, the state department of revenue, and the comptroller with respect to the method or procedure for collecting such taxes and remitting the proceeds thereof.

Be It Enacted by the Legislature Of Alabama:

Section 1. The department of revenue is hereby authorized, directed, and required to collect any sales and use taxes which may be levied in Berry, Fayette County, under the provisions of any municipal ordinance or resolution with a levy identical to the state levy except for rate of tax, subject to all definitions, exceptions, exemptions, proceedings, requirements, rules, regulations, provisions, penalties, fines, punishments, and deductions as are applicable to the state sales and use taxes levied under Act No. 100, H. 94, approved August 18, 1959, and Article II of Chapter 20, Title 51, Code of Alabama 1940, and all acts now or hereafter amendatory thereof or supplementary thereto, except where inapplicable or where herein otherwise provided, including the provisions for the enforcement and collection of taxes when said ordinance or resolution is duly promulgated and adopted by the governing body of Berry, Fayette County, and when a certified copy of said ordinance or resolution has been filed with the department of revenue. Provided, that such taxes shall not be collected from or levied upon the State of Alabama or the Alabama Alcoholic Beverage Control Board or ABC liquor stores. Such municipal sales and use taxes shall be collected by the department at the same time and along with the

collection by the department of taxes levied and collected for the State of Alabama under the provisions of Act No. 100, H. 94, approved August 18, 1959, and Article II of Chapter 20, Title 51, Code of Alabama 1940, as amended, and all reports required to be made to the commissioner of revenue hereunder shall, on request to the department of revenue, be made available for inspection by the governing body of Berry, Fayette County, or its designated agent, at reasonable times during business hours. The department of revenue shall prepare and distribute such reports, forms and other information as may be necessary for the collection of such municipal sales and use taxes, and shall have all the authority and duties hereunder as it has in connection with the collection of the State's sales and use taxes provided for by Act No. 100, H. 94, approved August 18, 1959, and Article II of Chapter 20, Title 51, Code of Alabama 1940, as amended. It shall be the duty of the commissioner of revenue to pay into the state treasury all such taxes collected for Berry, Fayette County, under this Act; and on or before the first day of the following month, the commissioner shall certify to the comptroller the amount of special taxes levied and collected under the provisions of this Act for the use and benefit of Berry, Fayette County, during the calendar month immediately preceding the making of such certificate. Whereupon it shall be the duty of the comptroller to issue his warrant on the state treasurer for the amount, less expenses, so certified by the commissioner of revenue as having been collected for the use of Berry, Fayette County, and paid into the state treasury; and the amount so certified by the commissioner of revenue as having been collected for the use of such town (less expenses) shall be paid to the treasurer or other custodian of funds of Berry, Fayette County. The department of revenue shall charge Berry, Fayette County, for collecting such municipal sales and use taxes the cost of making such collections provided, however, that such charge shall not exceed ten percent of the amount collected. The comptroller shall each month draw his warrant on the funds collected hereunder payable to the department of revenue for the amount of such charges. The department of revenues shall have full authority to employ such special counsel as it deems necessary from time to time to enforce collection of such municipal sales and use taxes, and otherwise to enforce the provisions of the ordinance or resolution levying such taxes, including any litigation required, and the department of revenue shall pay such special counsel such fees as it deems necessary and proper from the proceeds of the taxes payable to Berry, Fayette County, under the provisions of this Act.

Section 2. Any municipal ordinance or resolutions levying a tax required to be collected hereunder, any amendment, or addition, or other change in such ordinance or resolution shall be effective on the first day of the month next following the expiration of thirty days from the date of the adoption of such municipal ordinance or resolution, provided, however, the department of revenue shall not be required to make any collection of taxes or otherwise perform the duties provided herein until and unless a certified copy of such ordinance or resolution, or amendment thereto, is filed with the department of revenue not less than thirty days prior to the effective date of said ordinance, resolution, or amendment thereto.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF FAYETTE

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. D. Smith Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Fayette County Times, a newspaper of general circulation published in Fayette County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 8, June 15, June 22, and June 29, all in the year 1961.

W. D. SMITH JR.

Sworn to and subscribed before me July 11, 1961.

FLEETWOOD WATKINS,
Title Notary Public.

By Messrs. Thomas and Lee:

H. 1058. To provide further for the compensation of the members of the county governing body in all counties having a population of not less than 24,600 nor more than 25,300, according to the last or any subsequent federal decennial census.

Local Legislation No. 1.

By Messrs. Thomas and Lee (with notice and proof):

H. 1059. To provide for the relief of Charlie Day; authorizing an appropriation from the funds of Barbour County for such purpose.

Local Legislation No. 1.

Notice and Proof H. 1059.

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF BARBOUR

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENACTED
AN ACT

To provide for the relief of Charlie Day; authorizing an appropriation from the funds of Barbour County for such purpose.

PREAMBLE

On or about January 5, 1960, a truck owned by Barbour County and operated by an employee of the county ran off the road and into an automobile owned by Charlie Day, R.F.D., Eufaula, Alabama and parked in his yard thereby causing damage to the automobile, and

Whereas, on or about February 2, 1960, the Board of Revenue of Barbour County investigated this accident and determined that due to the facts and circumstances surrounding it, the county of Barbour was morally obligated to pay for such damages, but was not authorized by law to do so; now therefore

Be It Enacted by the Legislature of Alabama:

Section 1. The Board of Revenue, or other like governing body of Barbour County may appropriate out of the unpledged public funds of the county the sum of \$870.61 to compensate the said Charlie Day for his damages; and when such appropriation is duly made, the officer charged by law with the duty of drawing warrants on the public funds of Barbour County shall draw his warrant in favor of Charlie Day in the amount of \$870.61.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BARBOUR

Before me, Mrs. J. M. Smith, a Notary Public in and for said State and County, personally appeared Joel P. Smith, who being sworn, deposes and says on oath, that he is the Publisher of THE EUFAULA TRIBUNE, a newspaper published semi-weekly, in the City of Eufaula, Barbour County, Alabama, and that the foregoing attached notice A Bill to be enacted to provide for relief of Charlie Day was published in said newspaper four times, the same appearing in the issues dated: June 13, 20, 27, July 6, 1961.

JOEL P. SMITH.

Sworn to and subscribed before me this the 18th day of July, 1961.

MRS. J. W. SMITH,
Notary Public, Barbour Co., Ala.

By Messrs. Thomas and Lee:

H. 1060. To repeal Act No. 256, S. 318, approved July 19, 1951, entitled "An Act Authorizing the governing body of any county having a population of not less than 28,000, and not more than 42,000 inhabitants and two courthouses, and the county governing body of such county is a board of revenue, to authorize the circuit clerk to appoint an additional

deputy, whose salary shall be paid by the county." (Acts of Alabama 1950-1951, vol. I, p. 538).

Local Legislation No. 1.

By Messrs. Thomas and Lee:

H. 1061. To authorize the county governing body of any county having a population of not less than 20,000 and not more than 25,000 inhabitants according to the 1960 census, and two courthouses, and the county governing body of such county is a board of revenue, to provide compensation for a deputy sheriff in addition to the chief deputy provided by law.

Local Legislation No. 1.

By Messrs. Thomas and Lee:

H. 1062. Authorizing the governing body of any county having a population of not less than 20,000, and not more than 25,000 inhabitants and two courthouses, and the county governing body of such county is a board of revenue, to authorize the circuit clerk to appoint an additional deputy, whose salary shall be paid by the county.

Local Legislation No. 1.

By Messrs. Thomas and Lee:

H. 1063. To repeal Act No. 255, S. 317, approved July 19, 1951 entitled "An Act To authorize the county governing body of any county having a population of not less than 28,000 and not more than 42,000 inhabitants according to the 1950 census, and two courthouses, and the county governing body of such county is a board of revenue, to provide compensation for a deputy sheriff in addition to the chief deputy provided by law." (Acts of Alabama 1950-1951, vol. I, p. 537).

Local Legislation No. 1.

By Messrs. Thomas and Lee:

H. 1064. To amend further Section 257 of Title 13, Code of Alabama 1940, which fixes the compensation of deputy solicitors in certain counties.

Local Legislation No. 1.

By Mr. Harris:

H. 1065. Relating to counties having populations of not less than 40,000 nor more than 45,000 inhabitants; to direct the county governing body to adjust the compensations of certain county officers.

Local Legislation No. 1.

By Mr. Cabiness (with notice and proof):

H. 1066. To amend Section 2 of Act No. 140, S. 336, Regular Session 1951 (Acts 1951, Vol. 1, page 371), which relates to the construction, maintenance and repair of the county roads and bridges in Jackson County.

Local Legislation No. 1.

Notice and Proof H. 1066.

LEGAL NOTICE

A BILL
TO BE ENTITLED
AN ACT

To amend Section 2 of Act No. 140, S. 336, Regular Session 1951 (Acts 1951, Vol. 1, page 371), which relates to the construction, maintenance and repair of the county roads and bridges in Jackson County.

Be It Enacted by the Legislature Of Alabama:

Section 1. Section 2 of Act No. 140, S. 336 approved June 29, 1951, which relates to the construction, maintenance and repair of county roads and bridges in Jackson County (Acts of Alabama, Regular Session 1951, page 371) is hereby amended to read as follows:

"Section 2. The county governing body of Jackson County shall have and exercise only the powers and functions relative to the construction, maintenance and repair of the county roads and bridges as are conferred upon it by this Act, as follows:

"a) To levy road and bridge taxes and to appropriate money for the construction, maintenance and repair of county roads and bridges in the same manner and to the same extent as it may presently do so under the laws of the State;

"b) To borrow money and issue bonds or other evidences of indebtedness, subject to the approval of the State Highway Department, for the purpose of constructing, maintaining and repairing county roads and bridges to the same extent as it may presently do so under the laws of the State;

"c) To determine, subject to the approval of the State Highway Department, the location of new roads and bridges within the county which may be established as an addition to the presently existing county road system of Jackson county.

"d) To exercise, subject to the approval of the State Highway Department, the right of eminent domain for the purpose of acquiring right of way for the establishment and changing county roads and bridges in the manner presently provided by law.

"e) To determine and designate those parts or portions of the county road system at which guardrails or other similar safety devices are needed and to order the construction, maintenance and repair of such guardrails or other similar safety devices as a part of the regular construction, maintenance and repair of the county roads and bridges."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF JACKSON

Before me, the undersigned authority in and for said County in said State, this day personally appeared FRED J. BUCHHEIT, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was PUBLISHER of the PROGRESSIVE AGE, a newspaper of general circulation published in JACKSON County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 22, June 29, July 6, and July 13, all in the year 1961.

FRED J. BUCHHEIT.

Sworn to and subscribed before me July 19, 1961.

BOBBIE B. MARSHALL,
Title Notary Public.

My Commission expires Oct. 9, 1963

By Messrs. Murphy, Engel and Trimmier:

H. 1067. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing Mobile County under certain conditions to issue its general obligation bonds not exceeding \$1,767,000 in principal amount for various capital improvements in said county, said bonds to be additionally secured by a pledge of the special ad valorem tax provided for in Amendment XVIII to said constitution, as amended, authorizing the continued levy and collection of said tax for payment of said bonds, providing that none of the bonds which are payable out of said tax or for which said tax is pledged shall be chargeable against the limitation on indebtedness of said county contained in Section 224 of the constitution, and specifying certain details pertaining to said bonds and the sale thereof.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Engel and Trimmier:

H. 1068. To repeal Act No. 429, H. 659, approved September 25, 1947, entitled "To require the tax assessor of counties having a population of not less than 140,000 and not more than 400,000 inhabitants as shown by the last or any succeeding federal census, in addition to such duties as are now required of him by law, to act in an advisory capacity to the county board of equalization, and to investigate complaints as to assessments and make reports thereon to said board, and to provide for additional compensation of the tax assessor of such counties on account of such extra duties." (Acts of Alabama 1947, page 311.)

Local Legislation No. 1.

By Messrs. Engel and Trimmier:

H. 1069. To require, authorize and empower the governing body of all counties in this State, having a population of not less than 300,000 nor more than 500,000 by the last Federal census or by any succeeding Federal census, to levy and collect an excise, license or privilege tax on cigarettes and on every person, firm, corporation, club or association within the county, who or which sells or stores or consumes or receives for the purpose of distribution, cigarettes, and to prescribe the rate thereof; to require, authorize and empower the governing body of such counties to prescribe the method and provide for the collection of such tax; and to provide for the disposition of the revenues derived therefrom.

Local Legislation No. 1.

By Messrs. Engel and Trimmier:

H. 1070. To repeal Act No. 55, H. 279, approved June 10, 1949, entitled "To require, authorize and empower the governing body of all counties in this State, having a population of not less than 140,000 nor more than 400,000 by the last Federal census or by any succeeding Federal census, to levy and collect an excise, license or privilege tax on cigarettes and on every person, firm, corporation, club or association within the county, who or which sells or stores or consumes or receives for the purpose of distribution, cigarettes, and to prescribe the rate thereof; to require, authorize and empower the governing body of such counties to prescribe the method and provide for the collection of such tax; and to provide for the disposition of the revenues derived therefrom." (Acts of Alabama 1949, page 79).

Local Legislation No. 1.

By Messrs. Engel and Trimmier:

H. 1071. To require the tax assessor of counties having a population of not less than 300,000 and not more than 500,000 inhabitants as shown by the last or any succeeding federal census, in addition to such duties as are now required of him by law, to act in an advisory capacity to the county board of equalization, and to investigate complaints as to assessments and make reports thereon to said board, and to provide for additional compensation of the tax assessor of such counties on account of such extra duties.

Local Legislation No. 1.

By Messrs. Engel and Trimmier:

H. 1072. To repeal Act No. 281, H. 559, approved August 11, 1947, entitled "To confer on the Probate Courts in all counties of this State, which now have or may hereafter have a population of over 140,000 and less than 400,000, according to the last or any subsequent Federal census, general equity jurisdiction, concurrent with that of the Circuit Courts, in Equity, of this State in the administration of the estates of deceased persons, minors and insane persons, including testamentary trust estates; and to confer on the judges of such Probate Courts the same powers and authority which Judges and Registers of the Circuit Courts of this State now have in connection with the administration of such estates in the

Circuit Courts, in Equity; to provide for the pleading, practice and procedure in such matters, and for the enforcement of judgments and decrees and for appeals to the Supreme Court from the orders, judgments and decrees of such courts; and to provide for the compensation of the judges of such courts, including the assessment and collection of fees, commissions and cost of court for the performance of the duties authorized by this act. (Acts of Alabama 1947, page 140).

Local Legislation No. 1.

By Messrs. Engel and Trimmier:

H. 1073. To confer on the Probate Courts in all counties of this State, which now have or may hereafter have a population of over 300,000 and less than 500,000, according to the last or any subsequent Federal census, general equity jurisdiction, concurrent with that of the Circuit Courts, in Equity, of this State in the administration of the estates of deceased persons, minors and insane persons, including testamentary trust estates; and to confer on the judges of such Probate Courts the same powers and authority which Judges and Registers of the Circuit Courts of this State now have in connection with the administration of such estates in the Circuit Courts, in Equity; to provide for the pleading, practice and procedure in such matters, and for the enforcement of judgments and decrees and for appeals to the Supreme Court from the orders, judgments and decrees of such courts; and to provide for the compensation of the judges of such courts, including the assessment and collection of fees, commissions and cost of court for the performance of the duties authorized by this act.

Local Legislation No. 1.

By Messrs. Engel and Trimmier:

H. 1074. To prescribe the compensation of coroners in all counties having a population of not less than 300,000 nor more than 500,000, according to the last or any subsequent decennial Federal census, and the method of payment thereof; to provide an assistant for such coroners to be known as the Coroner's Physician, and to provide for his appointment, qualifications, compensation, allowances and method of payment thereof.

Local Legislation No. 1.

By Messrs. Engel and Trimmier:

H. 1075. To repeal Act No. 563, S. 427, approved July 6, 1943 (Acts of 1942-1943, p. 561) and any and all other acts amendatory of said Act No. 563, which provides for an assistant for county coroner in all counties having a population of not less than 140,000 nor more than 300,000 according to the last or any subsequent federal census.

Local Legislation No. 1.

By Messrs. Engel and Trimmier:

H. 1076. To repeal Act No. 733, S. 543, approved September 20, 1957, (Acts of 1957, vol. II, p. 1153), which fixes the compensation of the coroner in all counties having a population of not less than 140,000

nor more than 300,000 according to the last or any subsequent federal decennial census.

Local Legislation No. 1.

By Messrs. Engel and Trimmier:

H. 1077. To repeal Act No. 343, H. 540, approved June 30, 1943, an act relating to the issuance of building permits and applying in certain counties classified on a population basis (Gen. Acts 1943, p. 324).

Local Legislation No. 1.

By Messrs. Engel and Trimmier:

H. 1078. To authorize the creation of a corporation in all counties of this state having a population of not less than 300,000 to 500,000, according to the last or any subsequent Federal decennial census, to provide for the appointment of the governing body of said corporation, their term of office, compensation, and times for meeting, to require said counties and certain municipalities located within said counties to make payments to said corporation to aid in the operation of a hospital in said counties and to provide care for patients, to require said corporation to operate a hospital in said counties, to prescribe the powers and duties of said corporation, and to provide for a fiscal year for the operation of said hospital board; and to allow said counties and municipalities to use bond proceeds authorized by their voters for hospital purposes either jointly or by grant to the corporation.

Local Legislation No. 1.

By Mr. Sullivan (with notice and proof):

H. 1079. To direct and require the Commissioner of Revenue and the State Department of Revenue to collect any taxes now or hereafter levied in the City of Aliceville, Pickens County, Alabama, or in the police jurisdiction thereof, which said taxes are levied by the City Council of the City of Aliceville, under the provisions of any ordinance or resolution duly promulgated and adopted by the governing body of said City, and known as a privilege or license tax against persons, firms or corporations engaging in the business of selling tangible personal property at retail in the City of Aliceville, Alabama, or within the police jurisdiction thereof, with a levy identical to the state levy for sales and use taxes, except for rate of tax; to prescribe the powers, duties and authority of the Commissioner of Revenue, the State Department of Revenue, and the Comptroller, with respect to the method or procedure for collecting such taxes and remitting the proceeds thereof.

Local Legislation No. 1.

Notice and Proof H. 1079.

LEGAL NOTICE TO WHOM IT MAY CONCERN:

Notice is hereby given in accordance with Section 106 of the Constitution of Alabama of the intention to apply for the passage and enactment at the 1961 Regular session of the Legislature of Alabama of

a local law effecting the City of Aliceville, in Pickens County, Alabama, substantially as follows:

A Bill To Be Entitled An Act.

To direct and require the Commissioner of Revenue and the State Department of Revenue to collect any taxes now or hereafter levied in the City of Aliceville, Pickens County, Alabama, or in the police jurisdiction thereof, which said taxes are levied by the City Council of the City Aliceville, under the provisions of any ordinance or resolution duly promulgated and adopted by the governing body of said City, and known as a privilege or license tax against persons, firms or corporations engaging in the business of selling tangible personal property at retail in the City of Aliceville, Alabama, or within the police jurisdiction thereof with a levy identical to the state levy for sales and use taxes, except for rate of tax; to prescribe the powers, duties and authority of the Commissioner of Revenue, the State Department of Revenue, and the Comptroller, with respect to the method of procedure for collecting such taxes and remitting the proceeds thereof.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF PICKENS

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. G. Pratt, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Aliceville Informer, a newspaper of general circulation published in Pickens County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 29, July 6, July 13, and July 20, all in the year 1961.

J. G. PRATT.

Sworn to and subscribed before me July 20, 1961.

R. H. KIRKSEY,
Title Notary Public.

By Messrs. Johnson (J. T. Tom) and Vickers:

H. 1080. Proposing an Amendment to the Constitution of Alabama to authorize a hospital tax in Districts Three and Four of Tallapoosa County and the financing of hospitals and health facilities with bonds, warrants or certificates of indebtedness issued in anticipation of the collection of such tax.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Morrow, Rast, Sessions, Perry, Locke, Hawkins and Edwards:

H. 1081. TO FURTHER AMEND RETROSPECTIVELY SECTION 22 OF ACT NO. 929 OF THE LEGISLATURE OF ALABAMA OF 1959, RELATING TO CITIES HAVING A POPULATION OF FOUR HUNDRED AND FIFTY THOUSAND INHABITANTS ACCORDING TO THE LAST OR ANY SUCCEEDING FEDERAL CENSUS.

Local Legislation No. 2.

By Messrs. Edwards, Sessions, Locke, Morrow, Perry, Hawkins and Rast
(with notice and proof):

H. 1082. To further provide for the collection of the sewer rentals or sewer service charges levied under the provisions of Act No. 619 of the Legislature of Alabama of 1949 (Acts of 1949, Pages 954 to 963 inclusive), by imposing the duty to collect such charges upon any City, Town, Water Board or other public corporation owning or operating any water distribution system serving three or more parcels of real property in Jefferson County, Alabama; to provide the compensation to any such Water Works Board for making such collections and to further regulate the method or methods for collection and the disposition of the collections and the reports; and to repeal all portions of any Act in conflict herewith.

Local Legislation No. 2.

Notice and Proof H. 1082.

NOTICE OF PROPOSED LOCAL LEGISLATION

Notice is hereby given that a Bill will be introduced in the present Session of the Legislature of Alabama, to be entitled "To further provide for the collection of the sewer rentals or sewer service charges levied under the provisions of Act No. 619 of the Legislature of Alabama of 1949 (Acts of 1949, Pages 954 to 963 inclusive) by providing that the governing body of the County may impose the duty to collect such charges upon any City, Town or Water Board, or other public corporation. owning or operating any water distribution system serving three or more parcels of real property in Jefferson County, Alabama, and to provide the compensation for making such collections, and to further regulate the methods of making the collections and of reporting the same and to repeal all portions of any Act in conflict herewith."

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
COUNTY OF JEFFERSON

On this 19th day of July A.D. one thousand nine hundred and sixty-one personally appeared before me, J. L. Roberts a Notary Public in and for the County and State aforesaid R. P. Hunter who being duly sworn according to law, declares that he is Sec.-Treas. of Birmingham Post Co., publisher of "The Birmingham Post Herald", newspaper published in the City of Birmingham, in the County of Jefferson, State of Alabama, and that the advertisement, a true copy of which is herewith attached, appeared in "The Birmingham Post Herald" on the following dates: June 15, 22, 29, 1961, July 6, 1961.

Signed R. P. HUNTER.

Subscribed and sworn to before me this 19th day of July A.D. 1961.

J. L. ROBERTS,
Notary Public.

My Commission Expires March 8, 1964.

By Messrs. Perry, Sessions, Rast, Hawkins, Edwards, Locke and Morrow (with notice and proof):

H. 1083. To alter and re-arrange the boundary lines of the City of Homewood, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Jefferson County, Alabama, contiguous to said City.

Local Legislation No. 2.

Notice and Proof H. 1083.

NOTICE

Notice is hereby given of intention to apply at the current regular Session of the Legislature of Alabama, for introduction and passage of a bill, the substance of which, as distinguished from details, is and will be, in substance, as distinguished from detail, as follows:"

A BILL TO BE ENTITLED AN ACT

To alter and re-arrange the boundary lines of the City of Homewood, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Jefferson County, Alabama, contiguous to said City.

Be It Enacted by the Legislature Of Alabama:

Section 1. That, from and after the passage and approval of this Act the boundary lines of the City of Homewood, Jefferson County, Alabama, be and the same are altered and re-arranged so as to include within the corporate limits of said City, in addition to the territory included within its present corporate limits, the territory lying and situated in Jefferson County, Alabama, contiguous to said City, more particularly described as follows:

All that part of the NE $\frac{1}{4}$ of SW $\frac{1}{4}$, and of the SE $\frac{1}{4}$ of SW $\frac{1}{4}$, and of the NW $\frac{1}{4}$ of SE $\frac{1}{4}$ and of the SW $\frac{1}{4}$ of SE $\frac{1}{4}$, all in Section 14, Township 18 South, Range 3 West, situated in Jefferson County, Alabama, which lies southwesterly of the northeasterly right-of-way line of Green Springs Highway and northwesterly of the southeasterly right-of-way line of Oxmoor Road, bounded as follows:

Commence at the intersection of the North-South center line of Section 14, Township 18 South, Range 3 West, in Jefferson County, Alabama, with the northeasterly right-of-way line of Green Springs Highway, run thence in a southeasterly direction along the northeasterly right-of-way

line of said Green Springs Highway to its intersection with the southeasterly line of Oxmoor Road; run thence in a southwesterly direction along the southeasterly line of Oxmoor Road to its intersection with the northeasterly right-of-way line of the proposed Interstate Highway; run thence to the right in a northwesterly direction along said northeasterly right-of-way line of said proposed Interstate Highway to a point in said right-of-way (which point is located by commencing at the Southwest corner of the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of said Section 14, Township 18 South, Range 3 West, and running thence northeasterly along the Northeast-Southwest diagonal line of said $\frac{1}{4}$ $\frac{1}{4}$ section a distance of 997.26 feet, then turning an angle to the left of 76 degrees 19 minutes run thence northwesterly a distance of 639.83 feet to said point) thence 15 degrees 57 minutes 20 seconds to the right and continuing in a northwesterly direction along the northeasterly right-of-way line of said proposed Interstate Highway run a distance of 656.31 feet to a point; thence 89 degrees 14 minutes to the right in a northeasterly direction run a distance of 966.11 feet, more or less, to the intersection of said line with the northeasterly right-of-way line of Green Springs Highway; run thence to the right in a southeasterly direction along the northeasterly right-of-way line of Green Springs Highway to its intersection with the North-South center line of said Section 14, Township 18 South, Range 3 West, the point of beginning.

Section 2. That this Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA COUNTY OF JEFFERSON

Before me, the undersigned authority in and for said County in said State, personally appeared Mary B. Wheeler, who, being by me first duly sworn deposes and says that she is the Publisher of The Birmingham Messenger, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of May 20, 27; June 3, 10, 1961, a legal notice, a copy of which is hereto attached.

MARY B. WHEELER,
Publisher.

Sworn and subscribed to on this the 23rd day of June, 1961.

SARA WHEELER,
Notary Public.

By Messrs. Perry, Sessions, Morrow, Locke, Rast, Hawkins and Edwards
(with notice and proof):

H. 1084. FOR THE RELIEF OF NANNIE REEVES, AS THE WIDOW OF BENJAMIN M. REEVES, IN THE SUM OF \$1,000.00, IN THAT ON, TO-WIT, SEPTEMBER 23, 1957, WHILE ENGAGED IN THE PERFORMANCE OF HIS DUTIES AS AN EMPLOYEE OF JEFFERSON COUNTY, ALABAMA, BENJAMIN M. REEVES SUFFERED AN INJURY

TO HIS RIGHT LEG AS A RESULT OF WHICH HE WAS CONFINED TO THE UNIVERSITY HOSPITAL IN BIRMINGHAM, ALABAMA, WHERE HE DIED AS A RESULT OF COMPLICATIONS FOLLOWING SAID INJURY ON OCTOBER 11, 1957.

Local Legislation No. 2.

Notice and Proof H. 1084.

NOTICE OF INTENTION TO APPLY FOR ADOPTION OF LOCAL ACT

Notice is hereby given that at the Regular Session of the Legislature of Alabama of 1961, which reconvened on May 2, 1961, application will be made to the Legislature of Alabama for the adoption of a local act applicable to Jefferson County, Alabama, which will provide as indicated in the title thereof which said title is as follows:

A BILL TO BE ENTITLED AN ACT

For the relief of Nannie Reeves, as the widow of Benjamin M. Reeves, in the sum of \$1,000.00, in that on, to-wit: September 23, 1957, while engaged in the performance of his duties as an employee of Jefferson County, Alabama, Benjamin M. Reeves suffered an injury to his right leg as a result of which he was confined to the University Hospital in Birmingham, Alabama, where he died as a result of complications following said injury on October 11, 1957.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
COUNTY OF JEFFERSON

Before me, the undersigned authority in and for said County, in said State personally appeared Eleanor O. Abercrombie, who, being by me first duly sworn, deposes and says that she is the Publisher of Alabama Legal Advertiser, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established in 1918 under the name of Southern Labor Review which said name was changed to Alabama Legal Advertiser on the 5th day of December, 1959, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of May 27, June 3, 10, 17, 1961, a legal notice, a copy of which is hereto attached.

ELEANOR O. ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 17th day of June, 1961.

O. H. PUTMAN, JR.,
Notary Public.

By Mr. Turner (with notice and proof):

H. 1085. To fix the compensation of the county solicitor of Limestone County and repeal conflicting laws.

Local Legislation No. 1.

Notice and Proof H. 1085.

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF LIMESTONE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To fix the compensation of the county solicitor of Limestone County and repeal conflicting laws.

Be It Enacted by the Legislature Of Alabama:

Section 1. The county solicitor of Limestone County shall receive a salary of four thousand two hundred dollars (\$4,200) per annum, payable in equal monthly installments out of the general fund of the county as the salaries of county employees are paid.

Section 2. So much of Act No. 199, H. 603, Local Acts of Alabama 1947, p. 113, approved July 24, 1947, as amended by Act No. 172, H. 482, Acts of Alabama 1953, vol. I, p. 215, approved June 30, 1953 as conflicts with this Act and all other laws and parts of laws in conflict with this Act are hereby repealed.

Section 3. This Act shall take effect October 1, 1961.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Steele McGrew, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the The Alabama Courier, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 29, July 6, July 13, and July 20, all in the year 1961.

STEELE McGREW.

Sworn to and subscribed before me July 20, 1961.

LOLA L. ORR,
Title Notary Public.

By Mr. Turner (with notice and proof):

H. 1086. To amend further Section 3 of Act No. 355, H. 757, approved August 17, 1953 (Acts 1953, p. 423), an act fixing the compensation of the sheriff of Limestone County and providing for the appointment of deputies and assistants, in relation to the number of deputies and jailers to be appointed by the sheriff.

Local Legislation No. 1.

Notice and Proof H. 1086.

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF LIMESTONE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend further Section 3 of Act No. 355, H. 757, approved August 17, 1953 (Acts 1953, p. 423), an act fixing the compensation of the sheriff of Limestone County and providing for the appointment of deputies and assistants, in relation to the number of deputies and jailers to be appointed by the sheriff.

Be It Enacted by the Legislature Of Alabama:

Section 1. Section 3 of Act No. 355, H. 757, approved August 17, 1953 (Acts 1953, p. 423), an act fixing the compensation of the sheriff of Limestone County and providing for the appointment of deputies and assistants, as amended, is amended further to read as follows:

"Section 3. The sheriff may appoint a chief deputy and two other deputies and two jailers, whose salaries shall be fixed by the sheriff. The jailers shall be appointed to serve as jailers or bailiffs and shall not be engaged in law enforcement work. The chief deputy shall receive a salary of not less than one thousand eight hundred dollars (\$1,800) nor more than four thousand two hundred dollars (\$4,200) per annum. Each of the other deputies and the jailers shall receive a salary of not less than one thousand five hundred dollars (\$1,500) nor more than three thousand nine hundred dollars (\$3,900) per annum. The sheriff may also appoint a clerk, who shall be employed three working days each week, and shall receive a salary of two thousand one hundred dollars (\$2,100) per annum. All of the salaries provided for herein shall be paid by the county in equal monthly installments as salaries of other county employees are paid."

Section 2. All laws or parts of laws, general, special or local, which conflict with this Act are repealed.

Section 3. This Act shall become effective upon the first day of the first month beginning after its passage and approval by the Governor, or its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Steele McGrew, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the The Alabama Courier, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 29, July 6, July 13, and July 20, all in the year 1961.

STEELE MCGREW.

Sworn to and subscribed before me July 20, 1961.

LOLA L. ORR,
Title Notary Public.

By Mr. Turner (with notice and proof):

H. 1087. To authorize the employment of an additional clerk by the circuit clerk and register in chancery of Limestone County and to provide for the compensation of such clerk.

Local Legislation No. 1.

Notice and Proof H. 1087.

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF LIMESTONE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To authorize the employment of an additional clerk by the circuit clerk and register in chancery of Limestone County and to provide for the compensation of such clerk.

Be It Enacted by the Legislature Of Alabama:

Section 1. The circuit clerk and register in chancery of Limestone County may employ a clerk, in addition to any employees now employed in the office of the circuit clerk or of the register in chancery, whose salary shall not exceed two hundred dollars (\$200) a month to be paid in equal monthly payment from funds of the county in the same manner as the other employees of the county are paid.

Section 2. All laws or parts of laws, general, special or local, which conflict with this Act are repealed.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Steele McGrew, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the The Alabama Courier, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 29, July 6, July 13, and July 20, all in the year 1961.

STEELE McGREW.

Sworn to and subscribed before me July 20, 1961.

LOLA L. ORR,
Title Notary Public.

By Messrs. Reynolds (Madison) and Roberts.

H. 1088. To create the Madison County Coliseum Administration Board; to prescribe its duties; to prescribe the manner of selecting and compensating the board; to make provision for the members of the board to furnish a bond; to make provision for the appointment and compensation of a coliseum manager and other employees and to authorize appropriations by the county governing body.

Local Legislation No. 1.

By Messrs. Dickson and Brooks (with notice and proof):

H. 1089. To provide additional revenue for educational purposes in Lowndes County; authorizing the court of county commissioners, board of revenue, or like county governing body, to levy, when approved at a referendum election, special county privilege license and excise taxes paralleling, at lower rates, state sales and use taxes as provided for in Act No. 100, H. 94, approved August 18, 1959, and in Article 11 of Chapter 20, Title 51, Code of Alabama 1940, as heretofore amended and supplemented; providing for collection and enforcement of such taxes by the state department of revenue.

Local Legislation No. 1.

Notice and Proof H. 1089.

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF LOWNDES

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide additional revenue for educational purposes in Lowndes County; authorizing the court of county commissioners, board of revenue, or like county governing body, to levy, when approved at a referendum election, special county privilege license and excise taxes paralleling at lower rates, state sales and use taxes as provided for in Act No. 100, H. 94, approved August 18, 1959, and in Article 11 of Chapter 20, Title 51, Code of Alabama 1940, as heretofore amended and supplemented; providing for collection and enforcement of such taxes by the state department of revenue.

Be It Enacted by the Legislature Of Alabama:

Section 1. (a) If approved by a majority of the qualified voters of Lowndes County who vote thereon at the referendum election provided for in subsection (b), the court of county commissioners, board of revenue, or like governing body of said county may adopt an order, ordinance, or resolution levying special county taxes, for educational purposes, to parallel state sales and use taxes, in the manner and at the rates prescribed in this Act.

(b) The court of county commissioners, board of revenue, or like governing body of Lowndes County shall call and provide for holding an election for the purpose of determining whether or not such special county taxes shall be levied and imposed as provided in this Act. Notice of the election shall be given not more than 45 nor less than 30 days before the date set for the election, by publication in a newspaper published in the county once a week for four successive weeks. The election shall be held on the same day as the next primary, general, or special election that is held in the county following the effective date of this enactment. The election shall be held and conducted in the manner provided by law for holding other county elections, and the cost of the election, including the cost of publishing the notice, shall be paid by the county. The question to be voted on shall be stated on the ballots substantially as follows: "Do you favor a one-cent county sales tax for schools?"

Section 2. (a) The special county taxes levied pursuant to this Act shall be privilege license and excise taxes in substance as follows:

1. Upon every person, firm, or corporation (not including the State of Alabama or the Alabama Alcoholic Beverage Control Board or ABC

stores) engaged or continuing within Lowndes County in the business of selling at retail any tangible personal property whatsoever, including merchandise and commodities of every kind and character (not including, however bonds or other evidence of debt or stocks,) an amount equal to one percent of the gross proceeds of sales of the business except where a different amount is expressly provided herein. Any person engaging or continuing in business as a retailer and wholesaler or jobber shall pay the tax required on the gross proceeds of retail sales of such businesses at the rates specified, when his books are kept so as to show separately the gross proceeds of sales of each business, and when his books are not so kept he shall pay the tax as retailer, on the gross sales of the business.

2. Upon every person, firm, or corporation engaged or continuing within Lowndes County in the business of conducting or operating places of amusement or entertainment, billard and pool rooms, bowling alleys, amusement devices, musical devices, theaters, opera houses, moving picture shows, vaudevilles, amusement parks, athletic contests, including wrestling matches, prize fights, boxing and wrestling exhibitions, football and baseball games (including athletic contests conducted by or under the auspices of any educational institution, or any athletic association thereof, or other association whether such institution or association be denominational a state county, or a city school, or other institution, association, or school), skating rinks, race tracks, golf courses or any other place at which any exhibition, display amusement, or entertainment is offered to the public or place or places where an admission fee is charged, including public bathing places, public dance halls of every kind and description, conducted or carried on within Lowndes County, an amount equal to one percent of the gross receipts of any such business.

3. Upon every person, firm or corporation engaged or continuing within Lowndes County in the business of selling at retail machines used in mining, quarrying, compounding, processing and manufacturing of tangible personal property, and the parts of such machines attachments and replacements therefor which are made or manufactured for use on or in the operation of such machine, and which are necessary to the operation of such machines, and are customarily so used, an amount equal to one-half of one percent of the gross proceeds of the sale of such machines, attachments, parts and replacement therefor.

4. Upon every person, firm, or corporation engaged or continuing within Lowndes County in the business of selling at retail any automotive vehicle or truck trailer and semi-trailer, an amount equal to one-half of one percent of the gross proceeds of the sale of said automotive vehicle or truck trailer and semi-trailer. Provided that where any used automotive vehicle or truck trailer or semi-trailer is taken in trade, or in a series of trades, as a credit or part payment of the sale of a new or used vehicle the tax levied herein shall be paid on the net difference, that is the price of the new or used vehicle sold less a credit for the used vehicle taken in trade.

5. An excise tax may be imposed on, the storage, use or other consumption in Lowndes County of tangible personal property purchased at retail, for storage use or other consumption in Lowndes County, at the rate of one percent of the sale price of such property, regardless of whether the retailer is or is not engaged in business in Lowndes County or in this state, except as provided in paragraphs a and b below; and

a. The storage, use or other consumption in Lowndes County of any

new or used automotive vehicle, truck trailer or semi-trailer purchased at retail for storage, use, or other consumption in Lowndes County, at the rate of one-half of one percent of the sales price of such automotive vehicle, truck trailer, or semi-trailer is taken in trade or in a series of trades, as a credit or part payment on the sale of a new or used vehicle, the tax levied shall be paid on the net difference, that is, the difference in the price of the new or used vehicle sold less a credit for the used vehicle taken in trade; and

b. The storage, use or other consumption in Lowndes County of any machine used in mining, quarrying, compounding, processing and manufacturing of tangible personal property, including the parts of such machines, attachments, and replacements therefor which are made or manufactured for use on or in the operation of such machines, purchased at retail for storage, use, or other consumption in Lowndes County, at the rate of one-half placements therefor.

(b) There shall be exempted from the levy of such taxes the gross receipts of any business and the gross proceeds of all sales which are exempted under the state sales tax statutes from the computation of the amount of the state sales tax. And there shall also be exempted from the levy the storage, use, or other consumption of property, the storage, use, or other consumption of which is exempted under the state use tax statutes from the state use tax. Subject to these exemptions every person storing or using or otherwise consuming in Lowndes County tangible personal property purchased at retail shall be liable for the tax imposed and the liability shall not be extinguished until the tax has been paid by such person; however, that a receipt from a registered seller given to the purchaser of any property to be used, stored, or consumed in Lowndes County shall be sufficient to relieve the purchaser from further liability for the tax to which such receipt may refer. The term "registered seller" means the person registered with the state department of revenue pursuant to the state sales tax statutes. The term "state sales tax statutes" means Act No. 100, H 94, approved August 18, 1959, which levies a retail sales tax for state purposes, and includes all statutes, including amendments to said Act No. 100 heretofore enacted which expressly set forth any exemptions from the computation of the tax levied in said Act No. 100, and all other statutes heretofore enacted which expressly apply to, or purport to affect, the administration of said Act No. 100 and the incidence and collection of the tax imposed therein. The term "state use tax statutes" means Article 11 of Chapter 20, Title 51, Code of Alabama 1940 as heretofore amended, including all statutes heretofore enacted which expressly set forth any exemptions from the computation of the tax levied in said Article 11 and all other statutes heretofore enacted which expressly apply to, or purport to affect, the administration of the said article and the incidence and collection of the tax imposed therein.

Section 3. Unless otherwise expressly provided for in the order ordinance, or resolution levying the taxes herein authorized, such taxes shall become effective on the first day of the second month next following the date of the order, ordinance, or resolution; provided, notice of the adoption of such an order, ordinance, or resolution must be given to the commissioner of the state department of revenue not less than 45 days before the taxes are to become effective. The taxes levied and imposed shall be in addition to all other taxes now provided by law and shall be collected as hereinafter provided.

Section 4. The sales tax levied pursuant to section 2 shall be due and

payable in monthly stallments on or before the 20th day of the month next succeeding the month in which the tax accrues; the use tax levied pursuant to Section 2 shall be due and payable quarterly on or before the 20th day of the month next succeeding each quarterly period during which the storage, use, or other consumption of the tangible personal property became taxable each such quarterly period to end on the last day of each of the months of March, June, September and December. All taxes levied pursuant to this Act shall be paid to and collected by the state department of revenue at the same time and along with the collection of the state sales tax and the state use tax. On or prior to the due dates of the taxes levied each person subject to such taxes shall file with the state department of revenue a report or return in such form as may be prescribed by the department, setting forth with respect to all sales and business that are required to be used as a measurement of the tax levied, a correct statement of the gross proceeds of all such sales and the gross receipts of all such business, and setting forth with respect to the use tax levied the total sales price of all property, the use storage, or other consumption of which became subject to the tax during the then preceding quarterly period. Such reports shall include also such other items of information pertinent to the said taxes and the amount thereof as the state department of revenue may require. Any person subject to the taxes levied may defer reporting credit sales until after their collection, and in the event he so defers reporting them, he shall thereafter include in each monthly report all credit collections made during the month preceding, and shall pay the taxes due thereon at the time of filing such report. All reports or returns filed with the state department of revenue under this section shall be available for inspection by the governing body of Lowndes County, or its designated agent, at reasonable times during business hours.

Section 5. Every registered seller making sales of tangible personal property for storage, use, or other consumption in Lowndes County (which storage, use, or other consumption is not exempted from the tax imposed) shall at the time of making such sale or, if the storage, use, or other consumption of such tangible personal property in Lowndes County is not then taxable under this Act, at the time such storage, use, or other consumption becomes taxable hereunder collect the tax from the purchaser, and shall give to the purchaser a receipt therefor in the manner and form prescribed by the state department of revenue. On the twentieth day of the month following the close of each quarterly period provided for in Section 4 hereof, each registered seller shall file with the state department of revenue a return for the preceding quarterly period in such form as may be prescribed by the department, showing the total sales of the tangible personal property sold by such registered seller, the storage, use, or other consumption of which became subject to the tax imposed during the then preceding quarterly period; and each return shall be accompanied by a remittance of the amount of the tax required to be collected by such registered seller during the period followed by the return; provided that any registered seller may defer collecting the tax with respect to credit sales until collection of the proceeds of such sales and may defer reporting credit sales until after their collection but shall thereafter collect the said taxes along with collection of said credit sales and shall include in each quarterly report all credit collections made during the preceding quarterly period, and shall omit the taxes with respect thereto at the time of filing such report or return. Any person who has paid to a registered seller the tax with respect to the use, storage, or other consumption of tangible personal property in Lowndes County need not file a report or make any further payment of the said tax but each person who purchases tangible personal property, the storage, use, or other consumption of which is subject to the tax imposed, and who has not paid the tax due with respect thereto to a registered seller, shall report and pay the tax as required by Section 4.

Section 6. Each person engaging or continuing within Lowndes County in a business subject to the taxes levied pursuant to Section 2 shall add to the sales price or admission fee and collect from the purchaser or the person paying the admission fee the amount due by the taxpayer on account of said taxes; and every registered seller shall likewise add to the sales price and collect from the purchaser the amount of any tax which such registered seller is required to collect. It shall be unlawful for any person subject to the tax levied to fail or refuse to add to the sales price or admission fee and to collect from the purchaser or person paying the admission fee the amount herein required to be so added to the sales or admission price and collected from the purchaser, and it shall likewise be unlawful for any person subject to said tax to refund or offer to refund all or any part of the amount so collected or to absorb or advertise directly or indirectly the absorption or refund of said tax or any portion thereof. It shall likewise be unlawful for any registered seller to fail or refuse to add to the sales price and to collect from the purchaser the amount of the tax imposed or to refund or offer to refund or absorb, or to advertise directly or indirectly the absorption of said tax or any portion thereof.

Section 7. The taxes imposed pursuant to this Act shall constitute a debt due civil suit, in addition to all other methods Lowndes County and may be collected by provided by law and in this Act. The said taxes, together with interest and penalties with respect thereto, shall constitute and be secured by a lien upon the property of any person from whom said taxes. All provisions of the revenue laws of this state which apply to the enforcement of liens for license taxes levied, and the state department of revenue, for the use and benefit of Lowndes County shall collect such taxes and enforce this act and shall have and exercise for such collection and enforcement all rights and remedies that this state or the department has for collection of the state sales tax and the state use tax. The state department of revenue shall have full authority to employ such special counsel as it deems necessary from time to time to enforce collection of the taxes authorized to be levied by this Act and to otherwise enforce the provisions of this Act including any litigation involving the Act; and the department shall pay such special counsel such fees as it deems necessary and proper from the proceeds of the taxes collected by it for Lowndes County.

Section 8. All provisions of the state tax statutes with respect to payment, assessment and collection of the state sales tax, making of reports and keeping and preserving records with respect thereto, interest after due date of tax, penalties for failure to pay tax, make reports, or otherwise comply with the state sales tax statutes, the promulgation of rules and regulations with respect to the state sales tax, and the administration and enforcement of the state sales tax statutes, which are not inconsistent with the provisions of this Act when applied to the tax levied pursuant to Section 2 hereof, shall apply to the county tax levied; and all provisions of the state use tax statutes with tax, making quarterly reports and keeping and preserving records with respect thereto, interest after due date of tax penalties for failure to pay tax, make reports or otherwise comply with state use tax statutes, the promulgation of rules and regulations with respect to the state use tax, and the administration and enforcement of the state use tax statutes, which are not inconsistent with the provisions of this Act when applied to the county use tax levied shall apply to the county tax. The commissioner of revenue and the state department of revenue shall have and exercise the same powers, duties and obligations with respect to the county taxes levied as are imposed on the commissioner and the department respectively, by the state sales tax statutes and the state use tax statutes. All provisions of

the state sales tax statutes and the state use tax statutes that are made applicable to this Act to the county taxes levied and to the administration of this Act are incorporated herein by reference and made a part hereof as if fully set forth herein.

Section 9. The state department of revenue shall charge Lowndes County for collecting the special county taxes levied such amount or percentage of total collections as may be agreed upon by the commissioner of revenue and the court of county commissioners, board of revenue, or like governing body of the county, but such charge shall not in any event exceed two percent of the total amount of special county taxes collected hereunder within the county. Such charge for collecting the special taxes for the county may be deducted each month from the special sales and special use taxes collected before certifying the amount of the proceeds thereof due Lowndes County for that month. The commissioner of revenue shall pay into the state treasury all county taxes collected under this Act, as such taxes are received by the department of revenue; and on or before the first day of each successive month (commencing with the month following the month in which the department makes the first collections hereunder) the commissioner shall certify to the state comptroller the amount of taxes collected under the provisions of this Act and paid by him into the state treasury for the benefit of Lowndes County during the month immediately preceding the making of such certificate. Provided, however, that before certifying the amount of the taxes paid into the state treasury for the benefit of Lowndes County during each month, the commissioner may deduct from the taxes collected in said month the charges due the department for the collection of the taxes for the county. It shall be the duty of the comptroller to issue his warrant each month payable to the custodian of the public school funds of Lowndes County in his official capacity, in an amount equal to the amount so certified by the commissioner of revenue as having been collected for the use of the county. The custodian of public school funds for Lowndes County shall deposit the revenue derived from the taxes levied herein in a special account separate and apart from other public school funds of the county, and shall maintain separate records of such special account. The county board of education shall require an additional bond shall be filed and recorded in the office of the judge of probate of the county. The premiums on such bond shall be paid from any school funds derived hereunder.

Section 10. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 11. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law but shall cease to be effective if the present state sales tax is increased as much as one percent, on the date such increase in the state sales tax becomes effective.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LOWNDES

Before me, the undersigned authority in and for said County in said State, this day personally appeared Cecil B. Cross, Jr., who, being by me first duly sworn, deposes and says that during the times herein men-

tioned he was Publisher of the Lowndes Signal, a newspaper of general circulation published in Lowndes County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 15, June 22, June 29, and July 6, all in the year 1961.

CECIL B. CROSS, JR.,

Sworn to and subscribed before me July 7, 1961.

R. R. NORMAN, JR.,
Title Notary Public.

By Messrs. Dickson and Brooks (with notice and proof):

H. 1090. To amend Section 9 of Act No. 746, H. 1075, approved September 23, 1957, entitled "An Act Relating to privilege licenses; levying an additional tax upon sellers of malt or brewed beverages who are engaged in that business in Lowndes County; providing for the assessment, collection, and use of the proceeds of the tax and for the adoption and promulgation of rules and regulations therefor by the governing body of said county; defining violations of the Act; and prescribing penalties therefor" (Acts of Alabama 1957, vol. II, p. 1178).

Local Legislation No. 1.

Notice and Proof H. 1090.

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF LOWNDES

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Section 9 of Act No. 746, H. 1075, approved September 23, 1957, entitled "An Act Relating to privilege licenses; levying an additional tax upon sellers of malt or brewed beverages who are engaged in that business in Lowndes County; providing for the assessment, collection, and use of the proceeds of the tax and for the adoption and promulgation of rules and regulations therefor by the governing body of said county; defining violations of the Act; and prescribing penalties therefor" (Acts of Alabama 1957, vol. II, p. 1178).

Be It Enacted by the Legislature Of Alabama:

Section 1. Section 9 of Act No. 746, H. 1075, approved September 23, 1957, entitled "An Act Relating to privilege licenses; levying an additional

tax upon sellers of malt or brewed beverages who are engaged in that business in Lowndes County; providing for the assessment, collection, and use of the proceeds of the tax and for the adoption and promulgation of rules and regulations therefor by the governing body of said county; defining violations of the Act; and prescribing penalties therefor" (Acts of Alabama 1957, vol. II. p. 1178) is hereby amended to read as follows:

Section 9. (a) The license tax imposed by this Act shall be paid to the judge of probate after first reimbursing the county general fund for expenses incurred in the administration and enforcement of this Act, and after deducting for his own use and benefit the commission as hereinafter provided, shall, between the eleventh and twentieth days of each month pay over the remainder of the proceeds of said tax to the custodian of the public school funds of Lowndes County. All proceeds of said tax when so paid over to the custodian of the public school funds shall be expended by the county board of education of Lowndes County for the general expenses of the public schools of the county.

(b) For his services as provided in this Act the judge of probate shall be entitled to a commission of two and one-half per cent (2 and one-half percent) of the amount of tax collected by him.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LOWNDES

Before me, the undersigned authority in and for said County in said State, this day personally appeared Cecil B. Cross, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Lowndes Signal, a newspaper of general circulation published in Lowndes County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 15, June 22, June 29, and July 6, all in the year 1961.

CECIL B. CROSS, JR.,

Sworn to and subscribed before me July 7, 1961.

R. R. NORMAN, JR.,
Title Notary Public.

By Mr. Brannan (with notice and proof):

H. 1091. To alter or rearrange the boundary lines of the Town of Daphne, Baldwin County, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory contiguous thereto, in Baldwin County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 1091:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF BALDWIN

Notice is hereby given pursuant to Section 106 of the Constitution of Alabama, 1901 that application will be made to the Legislature of Alabama for the enactment of a local law, the substance of which is as follows:

A BILL TO BE ENTITLED AN ACT

To alter or rearrange the boundary lines of the Town of Daphne, Baldwin County, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory contiguous thereto, in Baldwin County, Alabama.

Be It Enacted by the Legislature Of Alabama:

Section 1. That the boundary lines of the Town of Daphne, Baldwin County, Alabama, be, and the same are hereby altered or rearranged so as to include all of the territory heretofore encompassed by the corporate limits of the Town of Daphne and in addition thereto the following described territory, to-wit:

From the Northeast corner of Section 29, Township 5 South, Range 2 East, run South along the East side of Section 29 one-half mile; thence run West on the half section line to the West side of Section 29; thence run North on said West line of said Section 29, to the Southeast corner of Section 42, Township 5 South, Range 2 East, otherwise known as Thomas Durnford Grant; thence run West on the South side of Section 42 to Mobile Bay; thence run Northward, following the meanderings of Mobile Bay, to the Northwest corner of Section 42; thence run East to the Point of Beginning; and being the property bounded on the North by the present limits of the Town of Daphne, Alabama.

Section 2. That this act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF BALDWIN

Before me, the undersigned notary public, in and for the State and County aforesaid, personally appeared Frances G. Crawford, who being by me first duly sworn, deposes and says that during the times herein mentioned she was Editor of the Fairhope Courier, a newspaper of general circulation published in Baldwin County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared

in the issues of said paper on the 8th day of June, the 15th day of June, the 22nd day of June, and the 29th day of June, all in the year 1961.

FRANCIS G. CRAWFORD, Affiant.

Subscribed and sworn to before me this the 11th day of July, 1961.

LILLIE K. STEPHENS,
Notary Public, Baldwin County, Alabama.

By Mr. Ashworth (with notice and proof):

H. 1092. To provide for the institution and prosecution of misdemeanors in the circuit court of Bibb County, Alabama, otherwise than by indictment by the grand jury; to authorize and empower the clerk of the circuit court of Bibb County to take oaths in support of complaints or affidavits and to issue warrants of arrest thereon in such cases returnable to the circuit court of Bibb County; to authorize and empower the said clerk to receive a plea of guilty by the defendant in such cases and set, assess or fix the fine on said plea within the limits allowed by law; and to provide for the formal minute entry and/or judgment entry to be made by a judge of said court on a subsequent date without the presence of the defendant.

Local Legislation No. 1.

Notice and Proof H. 1092.

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF BIBB

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To provide for the institution and prosecution of misdemeanors in the circuit court of Bibb County, Alabama, otherwise than by indictment by the grand jury; to authorize and empower the clerk of the Circuit court of Bibb County to take oaths in support of complaints or affidavits and to issue warrants of arrest thereon in such cases returnable to the circuit court of Bibb County; to authorize and empower the said clerk to receive a plea of guilty by the defendant in such cases and set, assess or fix the fine on said plea within the limits allowed by law; and to provide for the formal minute entry and/or judgment entry to be made by a judge of said court on a subsequent date without the presence of the defendant.

Be It Enacted by the Legislature Of Alabama:

Section 1. After this Act takes effect prosecution of persons charged

with a misdemeanor in Bibb County, Alabama, may be begun, without indictment by the grand jury of said county, by affidavit made before the clerk of the circuit court of Bibb County, and warrant of arrest issued thereon by said clerk returnable to the circuit court; and thereupon the jurisdiction of the circuit court shall attach, and the case shall proceed to trail upon said affidavit, without indictment, under the same rules and procedure as is provided by law in misdemeanor cases.

Section 2. In all cases instituted in the manner provided in section 1 of this Act the defendant may appear before the clerk of said court and make and enter a plea of guilty, without the presence of the judge of said court, and the clerk may receive and enter of record the plea and set, assess, or fix the defendant's fine within the limits allowed by law for such case and receive payment thereof; and in such event the judge of the court may enter a formal minute entry and/or judgment entry thereafter in such case without the presence of the defendant.

Section 3. Nothing in this Act shall be construed so as to interfere in any manner with or affect prosecutions for misdemeanors upon indictments found and returned by the grand jury in the circuit court of Bibb County, Alabama.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor of Alabama, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF BIBB

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. W. Oakley, Sr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Centerville Press, a newspaper of general circulation published in Bibb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 29, July 6, July 13, and July 20, all in the year 1961.

J. W. OAKLEY, SR.

Sworn to and subscribed before me 20 day of July, 1961.

MARVIN HUETT,
Title Notary Public.

By Messrs. Copeland and Hanby:

H. 1093. To provide for a solicitors law enforcement fund in any county having a population of not less than 96,000 nor more than 106,000.

Local Legislation No. 1.

By Mr. Roberts (with notice and proof):

H. 1094. To create the Madison County Coliseum Administration Board; to prescribe its duties; to prescribe the manner of selecting and compensating the board; to make provision for the members of the board to furnish a bond; to make provision for the appointment and compensation of a coliseum manager and other employees and to authorize appropriations by the county governing body.

Local Legislation No. 1.

Notice and Proof H. 1094.

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MADISON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To create the Madison County Coliseum Administration Board; to prescribe its duties; to prescribe the manner of selecting and compensating the board; to make provision for the members of the board to furnish a bond; to make provision for the appointment and compensation of a coliseum manager and other employees and to authorize appropriations by the county governing body.

Be It Enacted by the Legislature Of Alabama:

Section 1. The board of county commissioners or other like county governing body of Madison County is hereby authorized to establish a Madison County Coliseum Administration Board, to operate and supervise the coliseum owned by the County of Madison, said board to be composed of five members, but all members shall be qualified electors of Madison County.

Section 2. The said coliseum board is hereby authorized and empowered to equip, maintain, supervise and operate the coliseum and to make written rules and regulations relative to the operation of the coliseum. The said board shall exercise general powers, except as limited by the board of county commissioners or other like governing body, but the said board shall not make any expenditure in excess of \$500 without approval in advance by the county governing body. Without limiting the generality of the foregoing powers, the board specifically has the power to receive moneys from any source to expend on the coliseum and to make such agreements and grant such concessions as may be necessary for the efficient operation of the coliseum.

Section 3. The said coliseum board, subject to the approval of the county governing body, shall employ a suitable person to serve as coliseum

manager and such other personnel as they may deem necessary, and shall fix the salary of such employees.

Section 4. The county governing body shall appoint five members to serve on the Madison County Coliseum Administration Board. One member shall be appointed to serve one year, another to serve two years, another to serve three years, another to serve four years, and the fifth member to serve for five years. Upon the expiration of the term of office of any member, the county governing body shall appoint a successor for a term of five years, but each member shall serve until his successor is appointed and qualified. The said coliseum board shall select a chairman who shall serve for one year and thereafter the board shall annually select a chairman.

Section 5. The said coliseum board shall submit a budget to the county governing body by September 1 of each year for their approval. The board may not exceed its budget without the approval of the county governing body. The board shall make a quarterly financial report, reflecting the true financial condition of the coliseum to the county governing body.

Section 6. Each member of the said coliseum board shall, before entering upon the discharge of the duties of his office, execute a bond in the penal sum of two thousand dollars. Such bond shall be payable to the State of Alabama, with sufficient surety or sureties to be approved by the county governing body, and conditioned faithfully to discharge the duties of his office. The bond shall be filed and recorded in the office of the judge of probate.

Section 7. The county governing body may prescribe the compensation and expenses payable to the members of the said coliseum board.

Section 8. The county governing body is authorized to make appropriations to be expended by the said coliseum board pursuant to this Act.

Section 9. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA

COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Lewis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Secretary-Treasurer of the Huntsville Times, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 20, June 27, July 4, and July 11, all in the year 1961.

W. C. LEWIS.

Sworn to and subscribed before me July 12, 1961.

OPAL H. DILWORTH,
Title Notary Public.

By Mr. Jenkins (with notice and proof):

H. 1095. To authorize the clerk of the circuit court of Randolph County to take complaints and issue warrants in criminal cases for offense committed within the County.

Local Legislation No. 1.

Notice and Proof H. 1095.

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF RANDOLPH

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To authorize the clerk of the circuit court of Randolph County to take complaints and issue warrants in criminal cases for offense committed within the county.

Be It Enacted by the Legislature Of Alabama:

Section 1. The clerk of the circuit court of Randolph County is hereby authorized and empowered to take complaints and issue warrants, including search warrants, in all criminal cases; all such warrants to be returnable to any court of proper jurisdiction within said county. For accepting such complaints and issuing such warrants the clerk shall be entitled to the fees provided by law for justices of the peace.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF RANDOLPH

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. T. Bailey, who, being by me first duly sworn, deposes and says that during the times herein mentioned he

was publisher of the Randolph Press, a newspaper of general circulation published in Randolph County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 22, June 29, July 6, July 13, all in the year 1961.

R. T. BAILEY.

Sworn to and subscribed before me July 13, 1961.

STELL BENEFIELD,
Judge of Probate.

By Mr. Broadfoot (with notice and proof):

H. 1096. To alter, rearrange, and extend the boundary lines and corporate limits of the City of Florence in Lauderdale County so as to annex certain territory to the city.

Local Legislation No. 1.

Notice and Proof H. 1096.

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF LAUDERDALE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter, rearrange, and extend the boundary lines and corporate limits of the City of Florence in Lauderdale County so as to annex certain territory to the city.

Be It Enacted by the Legislature Of Alabama:

Section 1. The boundary lines and corporate limits of the City of Florence in Lauderdale County are hereby altered, rearranged, and extended so as to include within the corporate limits of the city the following described territory situated in Lauderdale County, to-wit:

A tract or parcel of land lying and being in Section 27, Township 2 South, Range 11 West, Lauderdale County, Alabama, more particularly described as follows: Beginning at a point on the North side of Alexander Heights, where the West line of Block 7, Forest Hills, intersects said North Line of Alexander Heights; run thence Westwardly along the North line of said Alexander Heights for a distance of 510 feet to a point; run thence Northwardly and parallel to the West line of said Block 7, Forest Hills, for a distance of 977.19 feet to a point, said point being the Southeast

corner of Forest Hills Addition; run thence North 89 degrees 15 minutes West along the South line of Forest Hills Addition for a distance of 795.05 feet to the Southwest corner of said Forest Hills Addition; run thence North 11 degrees 57 minutes West along the boundary of Forest Hills Addition 2056.8 feet to a point; continue thence along the boundary of Forest Hills Addition North 15 degrees 42 minutes West for a distance of 887 feet to a point; run thence South 89 degrees 38 minutes East along the boundary of Forest Hills Addition for a distance of 469.5 feet to a point; run thence North 1 degree 4 minutes East for a distance of 665.35 feet along the boundary of Forest Hills Addition to the center line of Rasch Road, said center line being the North line of said Section 27; run thence Eastwardly along the North line of said Section 27 to the existing City limit line; run thence Southwardly, Eastwardly and Southwardly along the West line of Greenview Memorial Cemetery and Forest Hills, said line being the existing City limit line, to the point of beginning.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LAUDERDALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Beulah C. Sutton, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was secretary of the Florence Herald, a newspaper of general circulation published in Lauderdale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 15, June 22, June 29, and July 6, all in the year 1961.

BEULAH C. SUTTON,

Sworn to and subscribed before me July 17, 1961.

H. S. MAY,
Title Notary Public.

My Commission Expires August 31, 1964.

By Messrs. Cabiness and Gross (with notice and proof):

H. 1097. To require railroads to install and maintain flashing electric signals, bells, or other similar warning devices at every intersection of their tracks with a federal or state highway or with a county road where there is a grade crossing in Jackson County, which in the opinion of the board of revenue or other county governing body is dangerous, when directed to do so by the county governing body; and to prescribe penalties.

Local Legislation No. 1.

Notice and Proof H. 1097.

LEGAL NOTICE

A BILL TO BE ENTITLED AN ACT

To require railroads to install and maintain flashing electric signals,

bells, or other similar warning devices at every intersection of their tracks with a federal or state highway or with a county road where there is a grade crossing in Jackson County, which in the opinion of the board of revenue or other county governing body is dangerous, when directed to do so by the county governing body; and to prescribe penalties.

Be It Enacted by the Legislature Of Alabama:

Section 1. Every person, firm, or corporation engaged in operating a railroad in Jackson County shall, within thirty days after receipt of direction to do so from the board of revenue or other county governing body of Jackson County install and thereafter maintain flashing electric signals, bells, or similar devices warning of the immediate approach of trains at any grade crossing of its tracks in Jackson County by a federal or state highway or a county road which the board of revenue or other county governing body has designated as a dangerous intersection and ordered equipped with such warning devices.

Section 2. Any person, firm, or corporation operating a railroad in Jackson County who fails to install flashing electric signals, bells, or other warning devices when and where the installation thereof has been ordered as herein above prescribed, shall upon conviction be fined not more than one hundred dollars, and each day of such failure after the expiration of thirty days from the receipt of the direction to install such devices shall constitute a separate offense.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

**STATE OF ALABAMA
COUNTY OF JACKSON**

Before me, the undersigned authority in and for said County in said State, this day personally appeared Fred J. Buchheit, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Progressive Age, a newspaper of general circulation published in Jackson County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 22, June 29, July 6, and July 13, all in the year 1961.

FRED J. BUCHHEIT,

Sworn to and subscribed before me July 17, 1961.

BOBBIE B. MARSHALL,

Title Notary Public.

My Commission expires Oct. 9, 1963.

By Messrs. Grouby and Hankins:

H. 1098. Relating to elections; amending further Sections 77 and 80 of Title 17, Code of Alabama 1940, to provide further for establishing election precincts, districts, polling places, and correct lists of qualified voters.

Local Government.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Harris to suspend the rules in order to introduce general bills out of order was adopted.

INTRODUCTION OF BILLS

The following bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Salter:

H. 1099. To amend further Act No. 46, H. 36, Legislature of 1955, Second Special Session, which regulates the sale of eggs and provides for the inspection and grading thereof by amending Sections 1, 6, 7, 8, 11, 12 and 13 of said Act.

Agriculture.

By Messrs. Grant and Daniel:

H. 1100. To appropriate public funds for the relief of Sheffield Truck & Tractor, Incorporated.

Ways and Means.

By Messrs. Grant and Daniel:

H. 1101. To provide for the relief of Marengo Concrete Products Co., Inc., making an appropriation of highway department funds for that purpose.

Ways and Means.

By Messrs. Harris, Hankins, Branyon, Ferguson, Meade, Torbert, Casey, Engel, Daniel, Bishop, Long (Lauderdale) and Broadfoot:

H. 1102. To amend Section 6 of Act No. 207, S. 14, approved June 27, 1945, (General Acts of Alabama 1945, p. 323) so as to increase the amount of the Dental School scholarships for the benefit of one resident of each county in the State; and to make an appropriation for such increase.

Ways and Means.

By Messrs. Harris, Torbert, Casey, Engel, Meade, Hankins, Bishop, Branyon, Long (Lauderdale), Broadfoot and Ferguson:

H. 1103. To amend Section 6 of Act No. 89, S. 35, approved June 2, 1943, (General Acts of Alabama 1943, p. 89) so as to increase the amount of the Medical School scholarships for the benefit of one resident of each county in the State; and to make an appropriation for such increase.

Ways and Means.

By Mr. Harris:

H. 1104. To provide further for public safety; requiring persons engaged in open cut or strip mining to cover, fill up, or place and maintain a substantial enclosure around any abandoned or unused strip, cut or mine; providing for enforcement by the director and department of industrial relations; prescribing penalties.

Business and Labor.

By Messrs. Copeland and Self:

H. 1105. To amend Section 312, Title 26, Code of Alabama 1940, as amended, which provides rights relative to damages for injuries to employees covered by Workmen's Compensation Law from parties other than employer.

Judiciary.

By Messrs. Hanby and Copeland:

H. 1106. Relating to vocational trade schools; authorizing, directing, and requiring the state board of education to provide for the establishment, maintenance and operation of a trade school for negroes at Gadsden.

Education.

By Mr. Copeland:

H. 1107. To provide that no marriage shall be solemnized without two attesting witnesses; amending Section 12 of Title 34, Code of Alabama 1940.

Judiciary.

By Messrs. Hanby and Gross:

H. 1108. To provide for jury service by women; amending Sections 20 and 21 of Title 30, Code of Alabama 1940.

Judiciary.

By Messrs. Jones (Covington), Bishop, Hankins, Cabiness, Dodd, Shumate, Beville, Broadfoot, Long (Lauderdale), Turner, Self, Cates, Hearn, Reynolds (Chambers), Johnson (J. T. Tom), Casey, Harris, Copeland, Albea, Branyon, Camp, Vickers and Adams:

H. 1109. Proposing an amendment to the Constitution of Alabama fixing the number of representatives in the Legislature and apportioning the membership among the several counties, fixing the number of senators and dividing the State into senatorial districts, setting the required frequency of subsequent reapportionment, placing the duty and responsibility for subsequent reapportionment of the legislature upon the legislature itself from and after the first Monday in May, 1971 and prescribing apportionment basis and procedure to be thereafter followed.

Judiciary.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Adams, Sessions, Hawkins, Rast, Edwards, Morrow, Locke and Perry:

H. 1110. To appropriate funds for the use of the Department of Agriculture and Industries in matching federal funds allocated to expend outlets for farm products.

Ways and Means.

By Mr. Callahan:

H. 1111. To provide for comparative negligence where the contributory negligence of the party seeking a recovery in damages is not as great as the negligence of the person or persons against whom recovery is sought.

Judiciary.

By Mr. Cates:

H. 1112. To amend Section 31, of Title 23, Code of Alabama 1940, which relates to the working of state convicts on roads.

State Administration.

By Messrs. Oden, Ray and Self:

H. 1113. To authorize and provide for the establishment, maintenance, and operation of a junior college to be located in Franklin, Marion, or Winston County; to create a board of trustees to govern such college; to authorize the board of trustees to select the location for such college, name it, appoint a president and certain other officers therefor, and prescribe rules and regulations to govern the college; to constitute the college a body corporate upon compliance with certain conditions; to authorize the board of trustees to accept gifts, donations, devises, and bequests; and to buy, hold, sell or otherwise dispose of real and personal property for and in the name of the college; to authorize the governing bodies of Franklin, Marion, and Winston Counties and of each incorporated municipality in any of such counties to make appropriations of public funds in aid of the college; to authorize the board of education of each of these counties and the board of education of any incorporated municipality in these counties to use public school funds in aid of such college and to provide transportation and certain other facilities to students attending the college;

to exempt from taxation the property of the college; to exempt officers and employees of the college from certain civil duties and from certain municipal privilege licenses; and to make an appropriation from the special educational trust fund for the purpose of effectuating this Act.

Ways and Means.

By Messrs. Callahan and Roberts:

H. 1114. To authorize and provide for the payment of a monthly expense allowance for expenses incurred in the conduct and maintenance of his office and in the proper and efficient performance and discharge of his duties as such circuit judge to each circuit judge in judicial circuits in Alabama composed of one county in Alabama having a population of not less than 100,000 nor more than 135,000 inhabitants, according to the last, or any subsequent, federal decennial census, payable out of the county treasury of the county composing such judicial circuit.

Local Legislation No. 1.

By Mr. Brannan:

H. 1115. To repeal Act No. 446, H. 935, approved November 13, 1959, entitled, "An Act to provide for the compensation of the deputies or clerks of the tax assessors and tax collectors of all counties having a population of not less than 47,000 nor more than 51,000, according to the most recent federal decennial census" (Acts of Alabama 1959, vol. II, p. 1140).

Local Legislation No. 1.

By Mr. Brannan:

H. 1116. Making an appropriation from the state treasury for the relief of Barney Davis of Foley, Alabama.

Ways and Means.

By Mr. Brannan:

H. 1117. To repeal Act No. 47, H. 61, approved April 8, 1955, entitled, "An Act to apply in all counties having a population of not less than 47,500 nor more than 52,500 inhabitants, according to the last or any subsequent federal decennial census; providing for the appointment of a deputy clerk of the circuit court of such counties; prescribing the duties, powers, and authority of such deputy, fixing his compensation and designating the method of payment and the fund from which such compensation shall be paid" (Acts of Alabama 1955, vol. I, p. 157).

Local Legislation No. 1.

By Mr. Brannan:

H. 1118. To appropriate the sum of three hundred thirty-four dollars and twenty-four cents (\$334.24) out of the Seafood Division Fund in addition to all other appropriations heretofore made for the purpose of paying items of expense and equipment purchases listed herein incurred prior to October 1, 1958.

Ways and Means.

By Mr. Cabiness:

H. 1119. To provide for a minimum monthly payment of one hundred dollars to all persons eligible to receive old age pensions and to make an appropriation therefor.

Ways and Means.

By Messrs. Cabiness, Gordon, Gross, and Long (Lauderdale):

H. 1120. To raise revenue for old-age pension purposes; providing an additional privilege tax upon certain persons, firms or corporations maintaining telephone, electric and gas lines, measured by the number of miles of such lines in the state.

Ways and Means.

By Messrs. Broadfoot, Bishop and Self:

H. 1121. To prohibit the maintaining of certain flashing lights in the vicinity of highways; and prescribing penalties.

Judiciary.

By Mr. Broadfoot:

H. 1122. Requiring Communists, Nazis and Muslims and known members of Communist-front organizations to register with the department of public safety, and prescribing penalties.

Judiciary.

By Messrs. Broadfoot, Bishop, Roberts, Brewer, Long (Lauderdale), Cabiness, Self, Reynolds, (Madison), Dodd, Turner, Bevill, Camp, Casey, Gilchrist, Harris, Hanby, Copeland, Meade, Vickers, Hearn, Gross, Jones (Covington), Oden, Adams, Ray, Steagall, Cook, Albea, Nichols, Ingram, Rozelle, Hankins and Branyon:

H. 1123. Proposing an amendment to the Constitution of Alabama fixing the number of representatives in the Legislature and apportioning the membership among the several counties, fixing the number of senators and dividing the State into senatorial districts, setting the required frequency of subsequent reapportionment, placing the duty and responsibility for subsequent reapportionment of the legislature upon the legislature itself from and after the first Monday in May, 1971 and prescribing apportionment basis and procedure to be thereafter followed.

Judiciary.

The above bill was read a first time at length as required by the Constitution.

By Mr. Long (Lauderdale):

H. 1124. To require all legislative interim committees to make detailed reports of their work and to provide that the Secretary of the Senate and the Clerk of the House of Representatives shall furnish the

members of the Senate and the House of Representatives respectively with copies of such report.

State Administration.

By Mr. Long (Lauderdale):

H. 1125. To provide for forfeiture of the charter of any incorporated city or town when the governing body thereof sanctions or permits its police department to operate a so-called speed trap.

Judiciary.

By Mr. Turner:

H. 1126. To make an appropriation of funds to finance a poultry and egg research program and to prescribe a method to establish and carry out such a program.

Ways and Means.

By Messrs. Hearn, Oakley, Brannan, Franklin, Adams, Solomon, Long (Perry), Gilmer, Hardy, Hain, Guthrie, and Harris:

H. 1127. To provide for the eradication, control and prevention of the spread of diseases of poultry by requiring commercial poultry producers and commercial poultry hatcheries to be equipped with facilities for the destruction and disposal of dead poultry, unhatched or unused eggs and other poultry waste, and to authorize the State Board of Agriculture and Industries to adopt rules, regulations and requirements to carry out the requirements of this Act; to provide a penalty for violations of this Act and to make it unlawful to supply or furnish poultry producers with baby chicks in violation of this Act.

Agriculture.

By Messrs. Engel, Trimmier, Murphy, Turnham, Dodd, Britton and Harris:

H. 1128. To amend further Section 144 of Title 45, Code of Alabama 1940, which provides the allowance for feeding prisoners.

Ways and Means.

By Messrs. Engel, Trimmier, Casey and Murphy:

H. 1129. To amend Section 18, Title 61, of the Code of Alabama of 1940 so as to alter and change the amount receivable by the widow of a decedent upon her dissent.

Judiciary.

By Messrs. Murphy, Trimmier and Engel:

H. 1130. To amend Section 155, Title 8, Code of Alabama 1940, which requires licenses for certain shrimp catchers' boats, so as to reduce the license fee for certain size boats.

Conservation.

By Messrs. Murphy, Engel and Trimmier:

H. 1131. To amend Section 3 of Act No. 632, page 1538, Acts of Alabama 1959, Regular Session, entitled "An Act Relating to seafoods; providing for owners of private oyster reefs, beds or bottoms, or lessees thereof, to use mechanical devices, including mechanical rake dredges, at any time, to cultivate and harvest or to remove their live oysters, under certain prescribed conditions."

Conservation.

By Messrs. Murphy, Engel and Trimmier:

H. 1132. Relating to oysters; to amend Section 139 of Title 8, Code of Alabama 1940, as last amended, so as to eliminate the three cent (3c) per barrel tax thereon and increase the percentage of oyster shells to be returned to the reefs from thirty per cent (30%) to fifty per cent (50%).

Ways and Means.

By Messrs. Murphy, Engel and Trimmier:

H. 1133. To amend Section 144, Title 8, Code of Alabama 1940, which relates to a license for hauling raw oysters or raw shrimp by motor vehicle for commercial purposes.

Ways and Means.

By Messrs. Murphy, Engel and Trimmier:

H. 1134. To amend further Section 154 of Title 8, Code of Alabama 1940, providing for licensing the use of seines, trawls, and other devices to catch salt water shrimp, in relation to the use of trawls.

Ways and Means.

By Messrs. Murphy, Engel and Trimmier:

H. 1135. To require all boats licensed under any license required for engaging in the seafoods industry to display two license tags on said boat; providing a penalty for violation of the provisions of this Act; and granting the Director of Conservation rule-making power to implement the provisions of this Act.

Ways and Means.

By Messrs. Murphy, Engel and Trimmier:

H. 1136. To provide for an annual appropriation of \$3,500.00 by the State of Alabama to the Gulf States Marine Fisheries Commission as the State of Alabama's prorated share of the annual operating expenses of said Commission.

Ways and Means.

By Messrs. Murphy, Engel and Trimmier:

H. 1137. To amend Section 1 of Act No. 49, General Acts of Alabama

1947, approved July 1, 1947, as amended by Act No. 931, General Acts of Alabama 1951, Vol. 2, page 1599, approved September 12, 1951, entitled "An Act To amend Act No. 49, General Acts of Alabama 1947, approved July 1, 1947" which pertains to shrimp caught for commercial purposes.

Ways and Means.

By Messrs. Murphy, Engel and Trimmier:

H. 1138. To amend further Section 2 of an Act approved July 7, 1943 (Act No. 587, S. 117, General Acts 1943, p. 590) making it unlawful to use or have in possession for use seines, trawls, or other fishing devices of a size of mesh contrary to the rules and regulations of the Department of Conservation, for the purpose of catching salt water fish or seafoods or minnows or other baits, etc.

Conservation.

By Messrs. Murphy, Engel and Trimmier:

H. 1139. To amend Title 8, Section 132, Code of Alabama, which relates to the taking of seed oysters; to impose additional duties upon the Director of the Department of Conservation.

Conservation.

By Messrs. Engel and Trimmier:

H. 1140. To amend further an Act approved August 15, 1947 (Act No. 322, H. 97, General Acts 1947, p. 211) relating to permits and licenses for taking or catching live shrimp for use or sale as bait.

Ways and Means.

By Messrs. Murphy, Engel and Trimmier:

H. 1141. To amend Section 160 of Title 8, Code of Alabama 1940, which provides that salt water shrimp shall not be caught in a certain area of Mobile Bay.

Conservation.

By Messrs. Murphy, Engel and Trimmier:

H. 1142. To authorize the creation of a corporation in all counties of this state having a population of not less than 300,000 to 500,000, according to the last or any subsequent Federal decennial census, to provide for the appointment of the governing body of said corporation, their term of office, compensation, and times for meeting, to require said counties and certain municipalities located within said counties to make payments to said corporation to aid in the operation of a hospital in said counties and to provide care for patients, to require said corporation to operate a hospital in said counties, to prescribe the powers and duties of said corporation, and to provide for a fiscal year for the operation of said hospital board; and to allow said counties and municipalities to use bond

proceeds authorized by their voters for hospital purposes either jointly or by grant to the corporation.

Local Legislation No. 1.

By Mr. Goodwyn:

H. 1143. To amend further Title 34, Sections 27, 29, and 38, Code of Alabama, 1940, all of which relate to divorce suits.

Judiciary.

By Messrs. Bailey, Pierce, Goodwyn, Goldthwaite and Gordon:

H. 1144. FURTHER AMENDING SECTION 9 OF TITLE 22, CODE OF ALABAMA 1940, RELATING TO PUBLIC HEALTH.

State Administration.

By Messrs. Long (Perry), Perry, Hawkins and Sessions:

H. 1145. Authorizing state agencies, departments, boards, commissions, bureaus, and institutions of higher education to prohibit, or limit the use of, by any person, firm, or corporation, any construction materials produced, processed, manufactured, or fabricated outside the continental limits of the United States of America or its territories or possessions; providing that upon finding of fact that a person, firm, or corporation has violated any rule or order or minute promulgated under the authority hereof, state agencies, departments, boards, commissions, bureaus, and institutions of higher education shall refuse to award any further contract to such person, firm, or corporation for a period of three (3) years; and declaring an emergency.

State Administration.

By Messrs. Long (Perry) and Barnett:

H. 1146. To authorize the cities and towns of this state to provide for the establishment and operation of public medical clinics, and to authorize the lease or rental of all or any part of such clinics for use by doctors or dentists connected with the operation of such clinics.

Ways and Means.

By Messrs. Sullivan, Hankins, Rast, Bailey, McCorquodale, Trimmier and Phillips:

H. 1147. To amend Section 4 of Act No. 784, page 1069, Acts of Alabama, 1953 Regular Session, approved September 19, 1953, entitled, "An Act To provide that commercial fishing gear, which shall include commercial gear for the taking of fresh water mussels, may be used in commercial fishing in the publish fresh waters of this State and to provide that the Department of Conservation may prescribe rules for and when, where and how the same may be used. To provide for licenses and the issuance thereof permitting the use of such commercial fishing gear. To provide licenses for wholesale and retail dealers of fresh water non-game fish. To provide for the issuance of such licenses and the disposition of the revenue derived therefrom. To provide for the seizure and confiscation

of commercial fishing gear used in violation of the terms of this Act. To provide for a penalty for the violations of any provision of this Act and to provide for the disposition of the license fees and the fines accruing from violations of this Act. To repeal Sections 70, 71, 72, 74 and 77 of Title 8, Code of Alabama 1940, and to repeal Act No. 263, 1945 General Acts of Alabama, page 407, approved July 7, 1945, which relates to commercial fishing gear to be used in public fresh waters of this State and the licensing of such gear. To repeal Section 73 of Title 8, Code of Alabama 1940, as amended by Act No. 556, 1943 General Acts of Alabama, page 543, approved July 10, 1943, and by Act No. 306, 1947 General Acts of Alabama, page 163, approved August 14, 1947."

Conservation.

By Mr. Smith (St. Clair):

H. 1148. To propose a constitutional amendment relating to the power of the legislature to regulate costs and charges of courts and fees, commissions, percentages, and allowances of public officers.

Judiciary.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Pruitt, Goodwyn, Bailey, Perry, Hawkins and Pierce:

H. 1149. To amend Section 366 of Title 52 of the Code of Alabama of 1940, as amended, which relates to the Teachers' Retirement System.

Ways and Means.

By Messrs. Ferguson, Torbert, Albea, Turnham and Callahan:

H. 1150. To authorize the state board of education and trustees of state institutions to purchase certain liability insurance.

Education.

By Messrs. Beville and Goodwyn:

H. 1151. To amend Section 755 of Title 7, Code of Alabama 1940, relating to appeals from interlocutory decrees in equity cases.

Judiciary.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Edwards to suspend the rules in order to allow the Standing Committees to report out of order was adopted.

BILLS ON SECOND READING

Mr. Smith (Russell), Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable

report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 351. To establish the State Board of Health as the state radiation control agency for regulating, licensing and inspecting sources and uses of radioactive materials and machines and devices producing radiation; to authorize the agency to promulgate rules and regulations and prescribe registration, license, and inspection fees to regulate such materials, machines and devices; to authorize such agency to cooperate and enter into agreement with other agencies of this State, the Federal Government, interstate and state agencies, and groups concerned with control of such materials, machines and devices; to empower the agency to accept and administer loans, grants, or other funds in furtherance of its functions, and to conduct training or research relative to control of sources of ionizing radiation; to provide for the appointment of a Radiation Advisory Board to review and evaluate policies and programs relative to ionizing radiation and to coordinate the rules and regulations promulgated by the agency with rules and regulations of other agencies of the state; to authorize the Governor to enter into certain agreements with the Federal Government; to provide for enforcement of this Act; to prohibit certain acts relative to any source of ionizing radiation; to prescribe penalties for violation of this Act; and to repeal conflicting laws.

H. 30. To appropriate from any funds in the State Treasury to the credit of the General Fund the sum of \$300,000 for the purpose of erecting, constructing and equipping a training building for the State Department of Public Safety.

H. 31. To amend further Section 10 of Act No. 585 entitled "An Act To Create a Department of Public Safety; to provide for the appointment by the Governor of the Director thereof; to provide for the salary of said Director, and that said salary may be fixed by the Governor; to authorize the creation of divisions within said department and the appointment under the provisions of the Merit System of the chiefs of said divisions and other employees; to prescribe the duties and powers of the Director of the Department of Public Safety, and to enumerate the laws which said Director shall administer and enforce; to provide for the disposition of costs, fees and mileage of Highway Patrol officers when attending courts; to provide for the police powers possessed by members of the State Highway Patrol; to provide for the payment of the compensation of officers, agents and employees of the Department of Public Safety and to provide for the payment of expenses for necessary equipment; to create a fund in the State Treasury to be known as the State Public Highway and Traffic Control Fund, and to prescribe the monies which shall be paid into said fund; to require that expenditures of the Department of Public Safety shall be limited to amounts appropriated by the Legislature out of the State Public Highway and Traffic Control Fund; to provide for the liability of members of the State Highway Patrol on their official bonds; to prescribe an arrest fee for Highway Patrol officers, and the payment of said fee into the State Public Highway and Traffic Control Fund; to provide that any unencumbered balance in the State Public Highway and Traffic Control Fund at the end of any two year drivers' licensing period shall be paid into the Public Road and Bridge Fund of the Highway Department; to require the State Comptroller to record the source of funds paid into the State Public Highway and Traffic Control Fund; to authorize the Department of Public Safety to promulgate rules and regulations having the force and effect of law and to provide for a penalty for the violation thereof; to transfer all monies or

funds in the Highway Patrol Fund to the State Public Highway and Traffic Control Fund, and to authorize any appropriation heretofore made from said Highway Patrol Fund to be paid out of the said State Public Highway and Traffic Control Fund; and to provide for the effective date of this Act," approved September 11, 1953, as amended by Act No. 44, approved June 7, 1955.

H. 906. To propose an amendment to the Constitution of Alabama authorizing and providing for the issuance of not more than three million dollars in principal amount of general obligation bonds of the State of Alabama for building, construction and improvement purposes at the University of Alabama Research Institute at Huntsville.

The above bill was read a second time at length as required by the Constitution.

H. 677. To amend Section 186 of Title 13 of The Code of Alabama of 1940 to increase pay of bailiffs.

H. 679. To make an appropriation for the relief of Dothan Lincoln-Mercury Company, Ltd.

H. 467. To provide for the reimbursement to Mobile County of certain sums erroneously paid by the tax collector of such county into the state treasury instead of the treasury of Mobile County; and to make an appropriation for this purpose.

Mr. Smith (Russell) Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 854. (with amendment). To create a judicial conference for the State of Alabama; to prescribe the membership thereof, their duties, terms of office, and compensation.

Mr. Smith (Russell), Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 855. To amend Section 1 of Act No. 936, H. 652, approved September 12, 1951, entitled "An Act To fix and designate the salary of supernumerary circuit judges, their tenure of office and to prescribe their duties, and to refund to them their reasonable expenses for travel and hotel bills while engaged in their official duties in counties other than that of their residence" (Acts of Alabama 1951, vol. II, p. 1605), in relation to the compensation and allowances of supernumerary circuit judges.

H. 856. To amend Section 2 of Act No. 288, S. 161, approved July 7, 1945 (General Acts of Alabama 1945, p. 478), which relates to supernumerary circuit judges.

H. 857. To amend further Section 33 of Title 13, Code of Alabama 1940, in relation to the salaries of supernumerary justices.

H. 858. To amend Sections 2 and 3, as amended, of Act. No. 228, S. 21, approved July 31, 1947, an act providing for additional supernumerary judges (General Acts of Alabama 1947, p. 92).

Mr. Goodwyn, Vice-Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to wit:

H. 1023. (with amendment). To amend Section 262 of Title 26 of the Code of Alabama 1940 as last amended.

Mr. Goodwyn, Vice-Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to wit:

H. 1026. To amend further Act No. 128, S. 120, Regular Session 1949, entitled "An Act to provide for the service of process in civil suits upon non-residents of the State of Alabama and providing that any non-resident person, firm, partnership, general or limited, or any corporation not qualified under the constitution and laws of this State as to doing business herein shall be deemed to have appointed the Secretary of State, or his successor or successors in office, to be the true and lawful attorney or agent of such non-resident, upon whom process may be served; and for other purposes" (Acts of Alabama 1949, p. 154).

H. 692. To provide for a reapportionment of representation in the Legislature of Alabama pursuant to Article IX of the Constitution; fixing the number of Senators and dividing the State into as many senatorial districts as there are Senators; fixing the number of Representatives and apportioning them among the several counties according to the number of inhabitants in them, respectively.

Mr. Goodwyn, Vice-Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with amendment, and they were severally read a second time and placed on the Calendar, to wit:

H. 138. (with amendment). To authorize the formation of unincorporated association for the purpose of rendering professional service; to prescribe the manner of organization of such association; to require recording of articles of association in the office of the probate judge; to restrict the professional services to be rendered by the association to the specific kind of profession for which the association is formed; to limit membership in or shareholders of the association to persons qualified and licensed to practice such profession; to require that professional services furnished by the association be rendered only through agents duly licensed to practice such profession; to authorize associations to employ non-professional personnel for non-professional duties; to provide that present provisions of laws shall govern with respect to professional liability of members furnishing professional service; to preserve confidential relationships and to

limit liability of members or shareholders; to provide for centralized management by a board of governors who may or may not be members or shareholders and for election of officers; to provide that a professional association shall be a separate entity independent of its members or shareholders and may contract, hold title to real and personal property, invest its funds in real estate, mortgages, stocks and bonds, sue and be sued as an independent entity; to provide for valuation of shares, and transfer of membership or shares; to provide that professional associations may issue stock or certificates as evidence of ownership of assets in a stock-type organization, or that the association may be a non-stock organization; to provide for filing of annual reports with the Secretary of State; to authorize the Attorney General to dissolve an association violating certain provisions of this act; to provide that Article 8, Chapter 4, Title 7, Code of Alabama 1940, and laws relating to corporations generally, not in conflict herewith, shall govern professional associations; and to repeal conflicting laws.

H. 665. (with amendment). To regulate further the execution of certain contracts for public works; requiring contractors to use domestic products in public works projects.

H. 261. (with amendment). Proposing an amendment to the Constitution of Alabama providing for installation and use of voting machines in elections by all counties.

The above bill was read a second time at length as required by the Constitution.

Mr. Goodwyn, Vice-Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 146. Providing for the utilization of convicts by the Commissioner of Corrections or the Director of the State Highway Department to work upon, clean, and restore certain cemeteries or graveyards.

H. 323. To amend Code of Alabama 1940, Title 48, Section 5, to provide that congressional redistricting shall not serve to disqualify public service commissioners even though two or more commissioners may be residents of the same congressional district.

H. 746. To provide for and authorize certain physically incapacitated persons to vote absentee ballots.

H. 823. To authorize each of the several counties in this state to acquire properties suitable for use by any one or a combination of the following: (a) any industry for manufacturing, processing, or assembling any agricultural or manufactured product and (b) any commercial enterprise in storing, warehousing, distributing or selling products of agriculture, mining and industry; to authorize counties to lease such properties subject to certain specified requirements; to authorize counties to finance the acquisition of such properties by the issuance of revenue bonds payable solely out of the revenues from the leasing of such properties and to secure such bonds by pledges of such revenues and leases and by mortgages

on such properties; to provide that all such bonds shall be negotiable instruments; to authorize the refunding of any such bonds; to provide for remedies in the event of default respecting any bonds issued under the act; to exempt from taxation such properties and the revenue from the lease thereof, such bonds and the income therefrom, all mortgages executed as security therefor and all lease agreements made hereunder; to prohibit any county from making contributions to the cost of any such properties and from furnishing land therefor; to provide that such bonds and any agreements made in connection therewith shall not constitute an indebtedness of a county or a pecuniary liability of any kind; to provide that such bonds shall be legal investments for savings banks and insurance companies organized under the laws of this state; to provide the purposes for which the proceeds from the sale of such bonds may be used; to provide that no notice to or consent or approval by any governmental body or public officer shall be a prerequisite to the issuance of such bonds or the securing thereof.

H. 884. To amend Act No. 22, H. 1, approved May 26, 1953, an act relating to the speed of motor vehicles on the state highways (Acts of Alabama 1953, vol. I, p. 25), so as to further regulate the speed of motor vehicles on highways included in the Interstate System.

S. 58. To repeal in toto Title 6 (Bastardy) Code of Alabama, 1940; establishing procedure for determination of paternity of illegitimates, prescribing and defining the civil obligations of the father of an illegitimate child and establishing civil procedures for the enforcement of such obligations; prescribing a statute of limitations as to the time within which proceedings may be brought under this Act.

S. 220. To amend Section 331, Title 14, Code of Alabama 1940, to delete the theft of any cow or animal of the cow kind from the enumeration of acts that constitute grand larceny.

S. 221. To create the offense of cattle theft; to prescribe penalties and the form of indictment therefor.

H. 95. To provide that the vesting of title to, or an interest or easement in land pursuant to a condemnation proceeding bars the right of dower or courtesy in the condemned land or the interest or easement therein.

Mr. Pruitt, Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1024. To amend Sections 2, 3, and 4 of Act No. 474, S. 219, Regular Session 1953, entitled "An Act to provide supernumerary circuit solicitors of the State of Alabama; to provide the conditions under which a circuit solicitor may become a supernumerary circuit solicitor; to prescribe the qualifications, duties, powers, authority, compensation, method of removal from office of such supernumerary circuit solicitors; to provide for filling vacancies created by a circuit solicitor becoming a supernumerary circuit solicitor; to provide for reimbursement to such supernumerary circuit solicitors their reasonable expenses incurred for travelling on official business in counties other than that of their residence, and

to appropriate funds for the payment of compensation and expenses of such supernumerary circuit solicitors," (Acts of Alabama 1953, Vol. I, page 589).

Mr. Oden, Chairman of the Standing Committee on Business and Labor, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 112. To regulate the type, number, purchase, use, repair and maintenance of automobiles owned and operated by the state agencies; providing for the keeping of records concerning such automobiles; providing for the administration of the Act; establishing a revolving fund for the operation of an automobile pool and for the repair and maintenance of state automobiles and making an appropriation therefor; and prescribing penalties for violations of the Act.

H. 706. To revise and amend Chapter 4 of Title 46 of the Code of Alabama (1940), relating to the licensing of general contractors.

H. 1016. TO AMEND Act No. 438 of the Alabama Legislature, approved July 8, 1943, (Title 28, Section 352, Alabama Code (1940) as amended) to authorize investments by life insurance companies in notes secured by mortgages or trust deeds on unencumbered real estate in principal amount of up to three-fourths of the value of the real estate; and to delete therefrom the provisions relating to special loans up to four-fifths of the value of said real estate; and to provide that this section shall not affect loans insured or guaranteed by the federal housing commissioner or the veterans administration.

Mr. Solomon, Chairman of the Standing Committee on Agriculture, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 79. To further amend Section 58 of Title 2, Code of Alabama of 1940, as amended, which relates to the filing and registration of commercial feeds with the Commissioner of Agriculture and Industries for the sale and distribution of such feeds.

Mr. Cornett, Chairman of the Standing Committee on Conservation, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 832. To provide for the licensing and operation of privately owned hunting preserves; to provide the Director of Conservation with the authority to regulate the operation of such preserves; to provide for the cost of the privilege licenses for operating such preserves; to provide for the distribution of all monies accruing to the State under the provisions of this Act and to provide a penalty for the violation of the provisions of this Act.

Mr. Jenkins, Vice-Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the

following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1050. To authorize county governing bodies to make appropriations to support vocational trade schools or other similar institutions in which residents of the county or dependents of such residents are enrolled or are entitled to be enrolled.

S. 90. To validate, in certain cases, municipal corporations attempted to be organized under the laws of Alabama and invalid because of any irregularity in the procedure for incorporation.

S. 91. To validate in certain cases elections heretofore held in municipalities or counties for the purpose of authorizing any special tax under the Constitution.

S. 132. To provide for and regulate general and special elections in the cities and towns of this state, except those cities and towns which have a commission form of government; designating the date for regular elections, and authorizing the municipal governing body to call special elections; prescribing the manner of giving notice of municipal elections, and of designating voting places, and of appointing and compensating election officers; providing for the preparation of ballots and voting machines for such elections; prescribing the manner of casting ballots, counting the votes, and making returns of elections; providing for absentee voting at such elections; providing for and requiring a second or run-off election whenever no candidate receives a majority of the votes cast; designating certain acts and omissions relative to municipal elections as offenses and prescribing penalties therefor; prescribing the grounds on which such elections may be contested and the procedure for contests thereof; and providing that the costs of municipal elections shall be paid by the city or town holding such elections.

Mr. Hankins, Chairman of the Standing Committee on Transportation, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 907. Relating to highways; designating state highway 22 as "Old Capital Trail."

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House without recommendation, and it was read a second time and placed on the Calendar, to-wit:

H. 989. (without recommendation). To provide further for the operation and maintenance of public high schools and public elementary schools in Bullock County.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1034. To provide for appointment of an additional deputy heriff of Dale County and for payment of his compensation.

H. 1035. To provide for the compensation of the county or deputy solicitor of Dale County.

H. 1036. To regulate the purchase of supplies, materials, equipment, and other personal property for or on behalf of Conecuh County or any of its officers, departments, agents, or instrumentalities; providing for competitive bidding on certain purchases and prescribing penalties.

H. 1037. To provide expense allowance for members and chairmen of courts of county commissioners, boards of revenue, or other like governing bodies of all counties having populations of not less than 17,400 nor more than 17,800.

H. 1038. To provide for paid leaves of absence for employees of Conecuh County.

H. 1039. Relating to counties having a population of not less than 96,000 nor more than 106,000 inhabitants; Providing that witness certificates obtained as a State's witness before the Grand Jury or before the Circuit or County Court in which a criminal prosecution is pending shall be paid immediately upon presentation for payment.

H. 1040. To amend Act No. 83, H. 427, Regular Session 1957, an act relating to the compensation of the coroner of Tallapoosa County (Acts of Ala. 1957, vol. I, p. 124).

H. 1041. To authorize the sheriff of any county having a population of not less than 15,300 nor more than 15,400 to employ an additional deputy upon approval of the county governing body and to provide for and regulate the payment of compensation to such deputy.

H. 1042. Relating to Bullock County; prescribing the times when county offices may be closed.

H. 1043. To extend, alter and rearrange the boundary lines and corporate limits of the town of Calera in Shelby County, Alabama, so as to include within the corporate limits of said town of Calera all territory now within such corporate limits and also certain other territory contiguous thereto.

H. 1044. To provide for coverage of certain employees of Walker County under the Unemployment Compensation Act.

H. 1045. To provide for establishment and operation of a medical clinic in the municipality of Hurtsboro, Russell County.

H. 1046. To provide for the relief of George W. Dean by Montgomery County.

H. 1049. To propose an amendment to the Constitution relative to the levy and collection of a special property tax for educational purposes in the city of Muscle Shoals.

The above bill was read a second time at length as required by the Constitution.

H. 1052. To authorize and empower the Board of Revenue, Court of County Commissioners, or the like governing body of Talladega County, in its discretion, to provide branch offices in the City of Sylacauga for the use of the Judge of Probate, Tax Assessor, Tax Collector, Sheriff, or their clerks or deputies, or other officers of Talladega County, in the performance of their official duties and to authorize and empower the governing body of Talladega County to furnish office space, clerical assistants, equipment and supplies necessary for the proper and efficient operation of such branch offices and to adopt rules and regulations governing the operation of such branch offices and to provide for an effective date upon approval in a county-wide election.

S. 469. To amend further Code of Alabama 1940, Title 1, Section 14, which relates to the reclassification date for laws based on population.

Mr. Perry, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 460. To amend Section 353, Title 17 of the Code of Alabama 1940, which relates to numbering places in primary elections.

H. 983. To alter and extend the boundaries of the City of Birmingham.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Messrs. Wyatt, Rutledge, Golson, Clark, Cooper, Barnett, Andrews and Wilson:

S. 208. Proposing an amendment to the Constitution of Alabama in relation to the rotation of residence of state senators in senatorial districts composed of two or more counties.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate bill, S. 208, the title to which is set out in the above and foregoing Message from the Senate, was read a first time at length as required by the Constitution, and referred to the Standing Committee on State Administration.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 70. Relative to the Legislature reaffirming confidence in Dr. Frank A. Rose and staff of the University of Alabama.

J. E. SPEIGHT,
Secretary.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Shumate to suspend the rules in order to take up for immediate consideration the third reading of local bills, and general bills of local application, was adopted.

BILLS ON THIRD READING

H. 803 POSTPONED

On motion of Mr. Oden, consideration of the bill, H. 803, was postponed until the next legislative day.

And the bill:

H. 784. (with amendment). To amend further Act No. 258, H. 679, Regular Session 1931, an act providing for the duties, qualifications, tenure, and compensation of the county superintendent of education of Elmore County (Local Acts, Regular Session 1931, p. 117), in relation to the compensation and travel allowance of such officer.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said committee amendment being as follows:

AMENDMENT TO HOUSE BILL 784

In the 9th line, strike out "\$7,800" and insert in lieu thereof "\$7,200";

Also, in line 15, strike out "\$75" and insert in lieu thereof "\$50".

And the amendment was adopted.

Yeas 77; Nays 1.

Yeas:

Mr. Speaker
Adams
Albea

Avery
Barnett
Bassett

Bevill
Bishop
Boyd

Brannan
Branyon
Britton

Broadfoot	Glass	Johnston (Leonard)	Ramey
Cabiness	Goldthwaite	Lee	Rast
Callahan	Gordon	Locke	Ray
Camp	Grant	Long (Perry)	Rogers
Casey	Gross	McClendon (Chambers)	Rozelle
Chambers	Grouby	McCorquodale	Self
Cook	Guthrie	Martin	Sessions
Copeland	Hain	Meade	Smith (St. Clair)
Cornett	Hanby	Merrill	Solomon
Daniel	Hankins	Murphy	Steagall
Dodd	Hardy	Nettles	Sullivan
Dunn	Harris	Oakley	Taylor
Edwards	Harvey	Perry	Torbert
Engel	Hawkins	Phillips	Trimmier
Faulk	Ingram	Pierce	Turner
Ferguson	Jenkins	Powell	Vickers
Gilmer			

—77

Nay:

Mr. Johnson (Hardaway)

—1

And said bill, H. 784, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Copeland	Hankins	Perry
Adams	Cornett	Hardy	Phillips
Albea	Daniel	Harris	Pierce
Avery	Dickson	Hawkins	Powell
Barnett	Dodd	Ingram	Ramey
Bassett	Dunn	Jenkins	Rast
Bevill	Edwards	Johnson (Hardaway)	Ray
Bishop	Engel	Johnston (Leonard)	Rogers
Boyd	Faulk	Lee	Self
Brannan	Ferguson	Locke	Sessions
Branyon	Gilmer	Long (Perry)	Shumate
Britton	Glass	McClendon (Chambers)	Smith (St. Clair)
Brooks	Goldthwaite	McCorquodale	Solomon
Cabiness	Gordon	Martin	Steagall
Callahan	Grant	Meade	Sullivan
Camp	Gross	Merrill	Taylor
Casey	Grouby	Murphy	Torbert
Cates	Guthrie	Nettles	Trimmier
Chambers	Hain	Oakley	Turner
Cook	Hanby	Oden	Vickers

—80

And the bill:

H. 785. (with amendment). To regulate the compensation and allowances of members of the county board of education of Elmore County.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said committee amendment being as follows:

AMENDMENT TO H.B. 785

In Section 1, line 3, strike out "twenty dollars (\$20)" and insert "twelve dollars (\$12)";

Also, in Section 1, line 8, strike out "24 days" and insert "18 days".

And the amendment was adopted.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Cornett	Hardy	Oden
Adams	Daniel	Harris	Perry
Albea	Dickson	Harvey	Phillips
Avery	Dodd	Hawkins	Pierce
Barnett	Dum	Ingram	Powell
Bassett	Edwards	Jenkins	Pruitt
Bevill	Engel	Johnson (Hardaway)	Ramey
Bishop	Faulk	Johnson (J. T. Tunn)	Rast
Boyd	Ferguson	Johnston (Leonard)	Ray
Branyon	Gilmer	Lee	Rogers
Britton	Glass	Locke	Self
Broadfoot	Goldthwaite	Long (Lauderdale)	Sessions
Brooks	Goodwyn	Long (Perry)	Shumate
Cabiness	Gordon	McClendon (Chambers)	Smith (St. Clair)
Callahan	Grant	McCorquodale	Solomon
Camp	Gross	Martin	Steagall
Casey	Grouby	Meade	Sullivan
Cates	Cuthrie	Merrill	Taylor
Chambers	Hain	Murphy	Trimmier
Cook	Hanby	Nettles	Turner
Copeland	Hankins	Oakley	Vickers

—84

And said bill, H. 785, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Bevill	Broadfoot	Cates
Adams	Bishop	Brooks	Chambers
Albea	Boyd	Cabiness	Cook
Avery	Brannan	Callahan	Copeland
Barnett	Branyon	Camp	Cornett
Bassett	Britton	Casey	Daniel

Dickson	Hanby	Martin	Rogers
Dodd	Hankins	Meade	Salter
Dunn	Hardy	Merrill	Self
Edwards	Harris	Murphy	Sessions
Engel	Harvey	Nettles	Shumate
Ferguson	Hawkins	Oakley	Smith (St. Clair)
Gilmer	Ingram	Perry	Solomon
Glass	Jenkins	Phillips	Steagall
Goldthwaite	Johnson (Hardaway)	Pierce	Sullivan
Goodwyn	Johnson (J. T. Tom)	Powell	Taylor
Gordon	Johnston (Leonard)	Pruitt	Thomas
Grant	Lee	Ramey	Torbert
Gross	Long (Lauderdale)	Rast	Trimmier
Grouby	Long (Perry)	Ray	Turner
Guthrie	McClendon (Chambers)	Reynolds (Chambers)	Vickers
Hain	McCorquodale		

—86

And the bill:

H. 901. To amend Act No. 608, H. 700, Regular Session 1951, an act establishing a retirement fund for policemen and firemen of the City of Anniston (Acts of Alabama 1950-1951, vol. II, p. 1045).

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Cornett	Harvey	Powell
Adams	Daniel	Hawkins	Pruitt
Albea	Dickson	Ingram	Ramey
Avery	Dodd	Jenkins	Rast
Barnett	Dunn	Johnson (Hardaway)	Ray
Bassett	Edwards	Johnston (Leonard)	Rogers
Bevill	Engel	Lee	Salter
Bishop	Ferguson	Locke	Self
Boyd	Gilmer	Long (Lauderdale)	Sessions
Brannan	Glass	Long (Perry)	Shumate
Branyon	Goldthwaite	McCorquodale	Smith (St. Clair)
Britton	Goodwyn	Martin	Solomon
Broadfoot	Gordon	Meade	Steagall
Brooks	Grant	Merrill	Sullivan
Cabiness	Gross	Murphy	Taylor
Callahan	Guthrie	Nettles	Thomas
Camp	Hain	Oakley	Torbert
Casey	Hanby	Perry	Trimmier
Cates	Hankins	Phillips	Turner
Chambers	Hardy	Pierce	Vickers
Copeland	Harris		

—82

And the bill:

H. 905. To regulate the compensation of deputies to the sheriff in

all counties having populations of not less than 45,575 nor more than 46,500, according to the 1960 or any subsequent federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Daniel	Harvey	Powell
Adams	Dickson	Hawkins	Pruitt
Albea	Dodd	Ingram	Ramey
Avery	Dunn	Jenkins	Rast
Barnett	Edwards	Johnson (J. T. Tom)	Ray
Bassett	Engel	Johnston (Leonard)	Reynolds (Chambers)
Bevill	Faulk	Lee	Rogers
Bishop	Ferguson	Locke	Salter
Boyd	Gilmer	Long (Lauderdale)	Self
Brannan	Glass	Long (Perry)	Sessions
Branyon	Goldthwaite	McClendon (Chambers)	Shumate
Britton	Goodwyn	McCorquodale	Smith (St. Clair)
Broadfoot	Gordon	Martin	Solomon
Brooks	Grant	Meade	Steagall
Cabiness	Gross	Merrill	Sullivan
Callahan	Grouby	Murphy	Taylor
Camp	Guthrie	Nettles	Thomas
Casey	Hain	Oakley	Torbert
Cates	Hanby	Perry	Trimmier
Chambers	Hankins	Phillips	Turner
Copeland	Hardy	Pierce	Vickers
Cornett			

—85

And the bill:

H. 908. To establish a DeKalb County Court for DeKalb County; to define its jurisdiction and powers; To provide for its officers, their powers, duties and compensation; To provide that the said court shall be open at all times for the trial of cases and transaction of business; Prescribing rules and procedure of said Court; and to provide for the transfer of cases now pending in the DeKalb County Superior Court to the DeKalb County Court; To provide for the repeal of the DeKalb County Superior Court, DeKalb County, Alabama, as created by Act No. 637 Acts, 1957, Legislature, pages 956 to 963 inclusive, as amended; To create a fine and forfeiture fund and to provide for payment of claims, to transfer funds from DeKalb County Superior Court Fine and Forfeiture Fund to DeKalb County Court Fine and Forfeiture Fund; To provide for a Solicitor for the DeKalb County Court, his term of office and election, compensation and duties; To provide for payment of expenses of said Court out of the General Fund of DeKalb County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Cornett	Hardy	Phillips
Adams	Daniel	Harris	Pierce
Albea	Dickson	Harvey	Powell
Avery	Dodd	Hawkins	Pruitt
Bailey	Dunn	Ingram	Ramey
Barnett	Edwards	Jenkins	Rast
Bassett	Engel	Johnson (Hardaway)	Ray
Bevill	Faulk	Johnston (Leonard)	Reynolds (Chambers)
Bishop	Ferguson	Lee	Rogers
Boyd	Gilmer	Locke	Self
Brannan	Glass	Long (Lauderdale)	Sessions
Branyon	Goldthwaite	Long (Perry)	Shumate
Britton	Goodwyn	McClendon (Chambers)	Smith (St. Clair)
Broadfoot	Gordon	McCorquodale	Solomon
Brooks	Grant	Martin	Steagall
Cabiness	Gross	Meade	Sullivan
Callahan	Grouby	Merrill	Taylor
Camp	Guthrie	Murphy	Thomas
Casey	Hain	Nettles	Trimmier
Cates	Hanby	Oakley	Turner
Chambers	Hankins	Perry	Vickers
Copeland			

—85

And the bill:

H. 914. To repeal Act No. 559, H. 955, approved September 9, 1953, an act relating to statements as to encumbrances upon certain real property in certain counties classified on a population basis (Acts of Alabama 1953, vol. II, p. 797).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Casey	Grant	McCorquodale
Adams	Cates	Gross	Martin
Albea	Chambers	Grouby	Meade
Avery	Copeland	Hain	Merrill
Bailey	Cornett	Hanby	Murphy
Barnett	Daniel	Hankins	Nettles
Bassett	Dickson	Hardy	Oakley
Bevill	Dodd	Harris	Perry
Bishop	Dunn	Harvey	Phillips
Boyd	Edwards	Hawkins	Pierce
Brannan	Engel	Ingram	Powell
Branyon	Faulk	Jenkins	Pruitt
Britton	Ferguson	Johnson (Hardaway)	Ramey
Broadfoot	Gilmer	Johnston (Leonard)	Rast
Brooks	Glass	Locke	Ray
Cabiness	Goldthwaite	Long (Lauderdale)	Rogers
Callahan	Goodwyn	Long (Perry)	Rozelle
Camp	Gordon	McClendon (Chambers)	Self

Sessions	Solomon	Taylor	Trimmier
Shumate	Steagall	Thomas	Turner
Smith (St. Clair)	Sullivan	Torbert	Vickers

—84

And the bill:

H. 915. To repeal Act No. 233, H. 570, approved July 17, 1951, an act relating to benefit payments of employees of certain cities classified on a population basis (Acts of Alabama 1950-1951, vol. I, p. 502).

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Copeland	Harris	Pierce
Adams	Cornett	Harvey	Powell
Albea	Daniel	Hawkins	Pruitt
Avery	Dickson	Ingram	Ramey
Bailey	Dodd	Jenkins	Rast
Barnett	Dunn	Johnson (Hardaway)	Ray
Bassett	Edwards	Johnson (J. T. Tom)	Reynolds (Chambers)
Bevill	Engel	Johnston (Leonard)	Rogers
Bishop	Faulk	Lee	Rozelle
Boyd	Ferguson	Locke	Self
Brannan	Gilmer	Long (Lauderdale)	Sessions
Branyon	Glass	Long (Perry)	Shumate
Britton	Goldthwaite	McClendon (Chambers)	Smith (St. Clair)
Broadfoot	Goodwyn	McCorquodale	Solomon
Brooks	Gordon	Martin	Steagall
Cabiness	Grant	Meade	Sullivan
Callahan	Gross	Merrill	Taylor
Camp	Grouby	Murphy	Thomas
Casey	Hain	Nettles	Torbert
Cates	Hanby	Oakley	Trimmier
Chambers	Hankins	Perry	Turner
Cook	Hardy	Phillips	Vickers

—88

And the bill:

H. 916. To authorize and empower the county governing body in any county of this State, having a population of not less than 100,000 and not more than 135,000, according to the last or any subsequent federal decennial census, to employ one or more probation officers, to work with courts in such counties having jurisdiction of juvenile offenders, and to authorize the payment of the salary and expenses of such probation officer, and to authorize and empower municipalities in such counties to join with such counties in the payment of the salaries and expenses of such probation officer.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Copeland	Harris	Pierce
Adams	Cornett	Harvey	Powell
Albea	Daniel	Hawkins	Pruitt
Avery	Dickson	Ingram	Ramey
Bailey	Dodd	Jenkins	Rast
Barnett	Dunn	Johnson (Hardaway)	Ray
Bassett	Edwards	Johnson (J. T. Tom)	Reynolds (Chambers)
Bevill	Engel	Johnston (Leonard)	Rogers
Bishop	Faulk	Lee	Rozelle
Boyd	Ferguson	Locke	Self
Brannan	Gilmer	Long (Lauderdale)	Sessions
Branyon	Glass	Long (Perry)	Shumate
Britton	Goldthwaite	McClendon (Chambers)	Smith (St. Clair)
Broadfoot	Goodwyn	McCorquodale	Solomon
Brooks	Gordon	Martin	Steagall
Cabiness	Grant	Meade	Sullivan
Callahan	Gross	Merrill	Taylor
Camp	Grouby	Murphy	Thomas
Casey	Hain	Nettles	Torbert
Cates	Hanby	Oakley	Trimmier
Chambers	Hanks	Perry	Turner
Cook	Hardy	Phillips	Vickers

—88

And the bill:

H. 917. Relating to counties having populations of not less than 100,000 nor more than 136,000, according to the last or any subsequent federal decennial census; authorizing any purchaser or encumbrancer of real property situated in any municipality in any such county, or the attorney of such purchaser or encumbrancer, to request in writing from the clerk of the municipality in which the property is located a statement as to whether there is or will be any encumbrance against a particular piece of property because of any public improvement for which an ordinance has been adopted.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Brannan	Chambers	Faulk
Adams	Branyon	Cook	Ferguson
Albea	Britton	Copeland	Gilmer
Avery	Broadfoot	Cornett	Glass
Bailey	Brooks	Daniel	Goldthwaite
Barnett	Cabiness	Dickson	Goodwyn
Bassett	Callahan	Dodd	Gordon
Bevill	Camp	Dunn	Grant
Bishop	Casey	Edwards	Gross
Boyd	Cates	Engel	Grouby

Hain	Lee	Oakley	Sessions
Hanby	Locke	Perry	Shumate
Hankins	Long (Lauderdale)	Phillips	Smith (St. Clair)
Hardy	Long (Perry)	Pierce	Solomon
Harris	McClendon (Chambers)	Powell	Steagall
Harvey	McCorquodale	Pruitt	Sullivan
Hawkins	Martin	Ramey	Taylor
Ingram	Meade	Rast	Thomas
Jenkins	Merrill	Ray	Torbert
Johnson (Hardaway)	Morrow	Reynolds (Chambers)	Trimmier
Johnson (J. T. Tom)	Murphy	Rogers	Turner
Johnston (Leonard)	Nettles	Self	Vickers

—88

And the bill:

H. 911. To repeal Act No. 263, H. 387, approved August 16, 1957, entitled, "An Act to provide further for the operation of the county boards of equalization of all counties having a population of not less than 31,500 nor more than 35,000 inhabitants, according to the last or any subsequent federal decennial census; prescribing the compensation and expense allowance of the members of such boards, providing for the payment thereof" (Acts of Alabama 1957, vol. I, p. 338).

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Cornett	Harvey	Pierce
Adams	Daniel	Hawkins	Powell
Albea	Dickson	Ingram	Pruitt
Avcry	Dodd	Jenkins	Ramey
Bailey	Dunn	Johnson (Hardaway)	Rast
Barnett	Edwards	Johnson (J. T. Tom)	Ray
Bassett	Engel	Johnston (Leonard)	Reynolds (Chambers)
Bevill	Faulk	Lee	Rogers
Bishop	Ferguson	Locke	Rozelle
Boyd	Franklin	Long (Lauderdale)	Self
Brannan	Gilmer	Long (Perry)	Sessions
Branyon	Glass	McClendon (Chambers)	Shumate
Britton	Goldthwaite	McCorquodale	Smith (St. Clair)
Broadfoot	Goodwyn	Martin	Solomon
Brooks	Gordon	Meade	Steagall
Cabiness	Grant	Merrill	Sullivan
Callahan	Gross	Morrow	Taylor
Camp	Grouby	Murphy	Thomas
Casey	Hain	Nichols	Torbert
Cates	Hanby	Oakley	Trimmier
Chambers	Hankins	Oden	Turner
Cook	Hardy	Perry	Vickers
Copeland	Harris	Phillips	

—91

And the bill:

H. 920. To regulate the compensation of the coroner of Houston County and provide for the payment thereof.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Daniel	Harvey	Phillips
Albea	Dickson	Hawkins	Pierce
Avery	Dodd	Ingram	Powell
Bailey	Dunn	Jenkins	Pruitt
Barnett	Edwards	Johnson (Hardaway)	Ramey
Bassett	Engel	Johnson (J. T. Tom)	Rast
Bevill	Faulk	Lee	Ray
Bishop	Ferguson	Locke	Rogers
Boyd	Franklin	Long (Lauderdale)	Self
Brannan	Gilmer	Long (Perry)	Sessions
Branyon	Glass	McClendon (Chambers)	Shumate
Britton	Goldthwaite	McCorquodale	Smith (St. Clair)
Broadfoot	Goodwyn	Martin	Solomon
Cabiness	Gordon	Meade	Steagall
Callahan	Grant	Merrill	Sullivan
Camp	Gross	Morrow	Taylor
Casey	Grouby	Murphy	Thomas
Cates	Hain	Nettles	Torbert
Chambers	Hanby	Oakley	Trimmier
Cook	Hankins	Oden	Turner
Copeland	Hardy	Perry	Vickers
Cornett	Harris		

—86

And the bill:

H. 921. To amend the following Sections of Act. No. 103-H. 363, approved June 18th, 1953 (Acts of Alabama 1953, Pages 145-154), which provides for the establishment of a City of Dothan Pension and Retirement System.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Boyd	Camp	Dickson
Albea	Brannan	Casey	Dodd
Avery	Branyon	Cates	Dunn
Bailey	Britton	Chambers	Edwards
Barnett	Broadfoot	Cook	Engel
Bassett	Brooks	Copeland	Faulk
Bevill	Cabiness	Cornett	Ferguson
Bishop	Callahan	Daniel	Franklin

Gilmer	Hawkins	Morrow	Self
Glass	Ingram	Murphy	Sessions
Goldthwaite	Jenkins	Nettles	Shumate
Goodwyn	Johnson (Hardaway)	Oakley	Smith (St. Clair)
Gordon	Johnson (J. T. Tom)	Oden	Solomon
Grant	Johnston (Leonard)	Perry	Steagall
Gross	Lee	Phillips	Sullivan
Grouby	Locke	Pierce	Taylor
Hain	Long (Lauderdale)	Powell	Thomas
Hanby	Long (Perry)	Pruitt	Torbert
Hankins	McClendon (Chambers)	Ramey	Trimmier
Hardy	McCorquodale	Rast	Turner
Harris	Meade	Ray	Vickers
Harvey	Merrill	Rogers	

—87

And the bill:

H. 924. Relating to DeKalb County; to provide for payment of compensation to deputies of the sheriff of DeKalb County who are engaged in enforcing state traffic and motor vehicle laws from the county public highway and traffic fund.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Cornett	Harris	Perry
Albea	Daniel	Harvey	Phillips
Avery	Dickson	Hawkins	Pierce
Bailey	Dodd	Ingram	Powell
Barnett	Dunn	Jenkins	Pruitt
Bassett	Edwards	Johnson (Hardaway)	Ramey
Bevill	Engel	Johnson (J. T. Tom)	Rast
Bishop	Faulk	Johnston (Leonard)	Ray
Boyd	Ferguson	Lee	Rogers
Brannan	Franklin	Locke	Self
Branyon	Gilmer	Long (Lauderdale)	Sessions
Britton	Glass	Long (Perry)	Smith (St. Clair)
Broadfoot	Goldthwaite	McClendon (Chambers)	Solomon
Brooks	Goodwyn	McCorquodale	Steagall
Cabiness	Gordon	Meade	Sullivan
Callahan	Grant	Merrill	Taylor
Camp	Gross	Morrow	Thomas
Casey	Grouby	Murphy	Torbert
Cates	Hain	Nettles	Trimmier
Chambers	Hanby	Oakley	Turner
Cook	Hankins	Oden	Vickers
Copeland	Hardy		

—86

And the bill:

H. 925. Relating to and providing for the reidentification of voters

in DeKalb County; directing the board of registrars to purge the lists of registered voters; and providing a penalty for anyone willfully making a false statement in connection with such reidentification.

Was taken up.

Mr. Harris offered the following amendment to the bill, H. 925:

Amend H. B. 925, Section 3, paragraph (e), in the voters reidentification questionnaire, after the words "and I have not been disqualified from voting in the county" and before the period ending the sentence insert the following words "by conviction of a disqualifying crime or otherwise."

And the amendment was adopted.

Yeas 89; Nays 1.

Yeas:

Mr. Speaker	Cornett	Harris	Oden
Adams	Daniel	Harvey	Perry
Albea	Dickson	Hawkins	Phillips
Avery	Dodd	Ingram	Pierce
Bailey	Dunn	Jenkins	Powell
Barnett	Edwards	Johnson (Hardaway)	Pruitt
Bassett	Engel	Johnson (J. T. Tom)	Ramey
Bevill	Faulk	Johnston (Leonard)	Rast
Bishop	Ferguson	Jones (Covington)	Ray
Boyd	Franklin	Lee	Rogers
Brannan	Gilmer	Locke	Salter
Branyon	Glass	Long (Lauderdale)	Self
Britton	Goldthwaite	Long (Perry)	Sessions
Broadfoot	Goodwyn	McClendon (Chambers)	Shumate
Brooks	Gordon	McCorquodale	Solomon
Cabiness	Grant	Martin	Steagall
Callahan	Gross	Meade	Sullivan
Camp	Grouby	Merrill	Thomas
Casey	Hain	Morrow	Torbert
Cates	Hanby	Murphy	Trimmier
Chambers	Hankins	Nettles	Turner
Cook	Hardy	Oakley	Vickers
Copeland			

—89

Nay:

Mr. Taylor

—1

And said bill, H. 925, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Albea	Bailey	Bassett
Adams	Avery	Barnett	Bevill

Bishop	Engel	Ingram	Perry
Boyd	Faulk	Jenkins	Pierce
Branyon	Ferguson	Johnson (Hardaway)	Powell
Britton	Franklin	Johnson (J. T. Tom)	Pruitt
Broadfoot	Gilmer	Johnston (Leonard)	Ramey
Brooks	Glass	Jones (Covington)	Rast
Cabiness	Goldthwaite	Lee	Ray
Callahan	Goodwyn	Locke	Rogers
Camp	Gordon	Long (Lauderdale)	Salter
Casey	Grant	Long (Perry)	Sessions
Cates	Gross	McClendon (Chambers)	Solomon
Chambers	Grouby	McCorquodale	Steagall
Cook	Hain	Meade	Sullivan
Copeland	Hanby	Merrill	Thomas
Cornett	Hankins	Morrow	Torbert
Daniel	Hardy	Murphy	Trimmier
Dickson	Harris	Nettles	Turner
Dodd	Harvey	Oakley	Vickers
Edwards	Hawkins	Oden	

—83

And the bill:

H. 927. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in Sumter County; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Was taken up.

Mr. Pruitt offered the following amendment to the bill, H. 927:

Amend H. B. No. 927 by striking therefrom Section 6 and inserting in lieu thereof the following:

Section 6. Bob-white quail and coturnix quail shall be tagged with self-sealing tag prior to being released on the preserve. The operators of hunting preserves shall cooperate in other requests which the Director of Conservation might make for scientific investigations. The Alabama Department of Conservation shall specify tags which hunting preserve operators shall use, the tags to be numbered consecutively, dated by year of issuance, and carry the operator's license number.

And the amendment was adopted.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Bassett	Brooks	Chambers
Adams	Bevill	Cabiness	Cook
Albea	Bishop	Callahan	Copeland
Avery	Boyd	Camp	Cornett
Bailey	Branyon	Casey	Daniel
Barnett	Britton	Cates	Dickson

Dodd	Hanby	McCorquodale	Ray
Dunn	Hankins	Martin	Rogers
Edwards	Hardy	Meade	Salter
Engel	Harris	Merrill	Self
Faulk	Harvey	Morrow	Sessions
Ferguson	Hawkins	Murphy	Shumate
Franklin	Ingram	Nettles	Smith (St. Clair)
Gilmer	Jenkins	Oakley	Solomon
Glass	Johnson (Hardaway)	Oden	Steagall
Goldthwaite	Johnson (J. T. Tom)	Perry	Sullivan
Goodwyn	Johnston (Leonard)	Phillips	Thomas
Gordon	Jones (Covington)	Pierce	Torbert
Grant	Lee	Powell	Trimmier
Gross	Locke	Pruitt	Turner
Grouby	Long (Perry)	Ramey	Vickers
Hain	McClendon (Chambers)	Rast	

—87

And said bill, H. 927, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Daniel	Harris	Perry
Albea	Dickson	Harvey	Phillips
Avery	Dodd	Ingram	Pierce
Bailey	Dunn	Jenkins	Powell
Barnett	Edwards	Johnson (Hardaway)	Pruitt
Bassett	Engel	Johnson (J. T. Tom)	Ramey
Bevill	Faulk	Johnston (Leonard)	Rast
Bishop	Ferguson	Jones (Covington)	Ray
Boyd	Franklin	Lee	Rogers
Brannan	Gilmer	Locke	Salter
Branyon	Glass	Long (Perry)	Self
Britton	Goldthwaite	McClendon (Chambers)	Sessions
Brooks	Goodwyn	McCorquodale	Smith (St. Clair)
Cabiness	Gordon	Martin	Solomon
Callahan	Grant	Meade	Steagall
Camp	Gross	Merrill	Sullivan
Casey	Grouby	Morrow	Thomas
Cates	Hain	Murphy	Torbert
Chambers	Hanby	Nettles	Trimmier
Copeland	Hankins	Oakley	Turner
Cornett	Hardy	Oden	Vickers

—84

And the bill:

H. 928. To authorize the governing body of any county in this state having a population of not less than 20,000 nor more than 21,000 to provide for the employment of an additional assistant in the office of the judge of probate of the county for a portion of each fiscal year.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Cornett	Harris	Perry
Adams	Daniel	Harvey	Phillips
Albea	Dickson	Hawkins	Pierce
Avery	Dodd	Ingram	Powell
Bailey	Dunn	Jenkins	Pruitt
Barnett	Edwards	Johnson (Hardaway)	Ramey
Bassett	Engel	Johnson (J. T. Tom)	Rast
Bevill	Faulk	Johnston (Leonard)	Ray
Bishop	Ferguson	Jones (Covington)	Rogers
Boyd	Franklin	Lee	Salter
Brannan	Gilmer	Locke	Self
Branyon	Glass	Long (Perry)	Sessions
Britton	Goldthwaite	McClendon (Chambers)	Shumate
Brooks	Goodwyn	McCorquodale	Smith (St. Clair)
Cabiness	Gordon	Martin	Solomon
Callahan	Grant	Meade	Steagall
Camp	Gross	Merrill	Sullivan
Casey	Crouby	Morrow	Thomas
Cates	Hain	Murphy	Torbert
Chambers	Hanby	Nettles	Trimmier
Cook	Hankins	Oakley	Turner
Copeland	Hardy	Oden	Vickers

—88

And the bill:

H. 929. To provide further for the operation of the office of tax collector in all counties in this state having populations of not less than 20,000 nor more than 21,000; providing for the appointment and compensation out of county funds of a clerical assistant for the tax collector and for the appointment of a temporary tax collector in the event there is a vacancy in the office of tax collector for such county.

Was read a third time at length and passed, and ordered sent forth-to to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Cabiness	Engel	Hardy
Adams	Callahan	Faulk	Harris
Albea	Camp	Ferguson	Harvey
Avery	Casey	Franklin	Hawkins
Bailey	Cates	Gilmer	Ingram
Barnett	Chambers	Glass	Jenkins
Bassett	Cook	Goodwyn	Johnson (Hardaway)
Bevill	Copeland	Gordon	Johnson (J. T. Tom)
Bishop	Cornett	Grant	Johnston (Leonard)
Boyd	Daniel	Gross	Lee
Brannan	Dickson	Grouby	Locke
Branyon	Dodd	Hain	Long (Perry)
Britton	Dunn	Hanby	McClendon (Chambers)
Brooks	Edwards	Hankins	McCorquodale

Martin	Perry	Ray	Solomon
Meade	Phillips	Rogers	Steagall
Merrill	Pierce	Salter	Sullivan
Morrow	Powell	Self	Thomas
Murphy	Pruitt	Sessions	Torbert
Nettles	Ramey	Shumate	Turner
Oakley	Rast	Smith (St. Clair)	Vickers
Oden			

—85

And the bill:

H. 930. To prescribe the salary and manner of payment thereof of certain deputies sheriff in all counties having populations of not less than 13,650 nor more than 14,350 according to the 1960 or any subsequent federal decennial census.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Daniel	Hawkins	Pierce
Adams	Dickson	Ingram	Powell
Albea	Dodd	Jenkins	Pruitt
Avery	Dunn	Johnson (Hardaway)	Ramey
Bailey	Edwards	Johnson (J. T. Tom)	Rast
Barnett	Engel	Johnston (Leonard)	Ray
Bassett	Faulk	Jones (Covington)	Reynolds (Chambers)
Bevill	Ferguson	Lee	Rogers
Bishop	Franklin	Locke	Salter
Boyd	Gilmer	Long (Lauderdale)	Self
Branyon	Glass	Long (Perry)	Sessions
Britton	Goodwyn	McClendon (Chambers)	Shumate
Broadfoot	Gordon	McCorquodale	Smith (St. Clair)
Brooks	Grant	Martin	Solomon
Cabiness	Gross	Meade	Steagall
Callahan	Grouby	Merrill	Sullivan
Camp	Guthrie	Morrow	Taylor
Casey	Hain	Murphy	Thomas
Cates	Hanby	Nettles	Torbert
Chambers	Hankins	Oakley	Trimmier
Cook	Hardy	Oden	Turner
Copeland	Harris	Perry	Vickers
Cornett	Harvey	Phillips	

—91

And the bill:

H. 931. To fix the compensation of the county superintendent of education in all counties having a population of not more than 14,350 nor less than 13,650, according to the 1960 or any subsequent federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Cornett	Harris	Perry
Adams	Daniel	Harvey	Phillips
Albea	Dickson	Hawkins	Pierce
Avery	Dodd	Ingram	Powell
Bailey	Dunn	Jenkins	Pruitt
Barnett	Edwards	Johnson (Hardaway)	Rast
Bassett	Engel	Johnson (J. T. Tom)	Ray
Bevill	Faulk	Johnston (Leonard)	Rogers
Bishop	Ferguson	Lee	Self
Boyd	Gilmer	Locke	Sessions
Branyon	Glass	Long (Lauderdale)	Shumate
Britton	Goldthwaite	Long (Perry)	Smith (St. Clair)
Broadfoot	Goodwyn	McClendon (Chambers)	Solomon
Brooks	Gordon	McCorquodale	Steagall
Cabiness	Grant	Meade	Sullivan
Callahan	Gross	Merrill	Taylor
Camp	Grouby	Morrow	Thomas
Casey	Guthrie	Murphy	Torbert
Cates	Hanby	Nettles	Trimmier
Chambers	Hankins	Oakley	Turner
Cook	Hardy	Oden	Vickers
Copeland			

—85

And the bill:

H. 932. Providing that in all cities of the State of Alabama now having or hereafter having a population of as many as 100,000 and not more than 200,000 people, according to the 1960 or any succeeding regular decennial Federal Census, the employees of any water works board or other board, public corporation or commission, created or appointed by the governing authority of any such city, who were or are at the time of the creation or appointment of such water works board or other board, public corporation or commission, employees of any such city, or paid in part or in whole, directly or indirectly, from funds contributed or appropriated by any such city, shall continue to be covered and protected by and entitled to the benefits of any pension or retirement system, law or plan, or other benefit plan in effect for employees of any such city at the time of the creation or appointment of any such water works board or other board, public corporation or commission; providing for the contribution and payment by any such water works board or other board, public corporation or commission, of all sums due by or accruing to any of their respective employees under any such pension or retirement system, law or plan, or other benefit plan; providing that any such water works board or other board, public corporation or commission may enter into agreements with any such city for participation by their respective employees employed after the appointment and creation of any such water works board or other board, public corporation or commission, in any pension or retirement system, law or plan, or other benefit plan, now applicable to or for the benefit of the employees of any such city, and as part of any such agreement to provide for contributions or payments

to be made by any such water works board or other board, public corporation or commission in connection with the participation by their respective employees in any such pension or retirement system, law or plan, or other benefit plan; and providing that any such water works board or other board, public corporation or commission, may enter into agreements with any such city for participation by their respective employees, whether employed before or after the creation or appointment of any such water works board or other board, public corporation or commission, in any pension or retirement system, law or plan, or other benefit plan, hereafter applicable to or for the benefit of the employees of any such city, and as part of any such agreement to provide for contributions or payments to be made by any such water works board or other board, public corporation or commission in connection with the participation by their said respective employees in any such pension or retirement system, law or plan, or other benefit plan.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dickson	Hawkins	Pierce
Adams	Dodd	Ingram	Powell
Albea	Dunn	Jenkins	Pruitt
Avery	Edwards	Johnson (Hardaway)	Ramey
Bailey	Engel	Johnson (J. T. Tom)	Rast
Barnett	Faulk	Johnston (Leonard)	Ray
Bassett	Ferguson	Jones (Covington)	Reynolds (Chambers)
Bevill	Franklin	Lee	Rogers
Bishop	Gilmer	Locke	Salter
Boyd	Glass	Long (Lauderdale)	Self
Branyon	Goldthwaite	Long (Perry)	Sessions
Britton	Goodwyn	McClendon (Chambers)	Shumate
Broadfoot	Gordon	McCorquodale	Smith (St. Clair)
Cabiness	Grant	Martin	Solomon
Callahan	Gross	Meade	Steagall
Camp	Grouby	Merrill	Sullivan
Casey	Guthrie	Morrow	Taylor
Cates	Hain	Murphy	Thomas
Chambers	Hanby	Nettles	Torbert
Cook	Hankins	Oakley	Trimmier
Copeland	Hardy	Oden	Turner
Cornett	Harris	Perry	Vickers
Daniel	Harvey	Phillips	

—91

And the bill:

H. 933. Creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 150,000 people and not more than 300,000 people and for municipalities in such counties having a population of 5,000 or more people, all according to the last or any subsequent Federal Census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of

the Board and for the selection and compensation of its members; providing for the continued service of any board presently serving under any prior Act of the Legislature; providing for the selection, powers, duties and compensation of the personnel director; to require certification of county, municipal, public corporation, board and commission payrolls; making it a misdemeanor to violate the provisions of the Act; repealing all laws or parts of laws inconsistent with the provisions hereof; and providing for an effective date of this Act.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Dickson	Hawkins	Phillips
Adams	Dodd	Ingram	Pierce
Albea	Dunn	Jenkins	Powell
Avery	Edwards	Johnson (Hardaway)	Pruitt
Bailey	Engel	Johnson (J. T. Tom)	Ramey
Barnett	Faulk	Johnston (Leonard)	Rast
Bassett	Ferguson	Jones (Covington)	Ray
Bevill	Franklin	Lee	Rogers
Bishop	Gilmer	Locke	Salter
Boyd	Glass	Long (Lauderdale)	Self
Branyon	Goldthwaite	Long (Perry)	Sessions
Britton	Goodwyn	McClendon (Chambers)	Shumate
Brooks	Gordon	McCorquodale	Smith (St. Clair)
Cabiness	Grant	Martin	Solomon
Callahan	Gross	Meade	Steagall
Camp	Grouby	Merrill	Sullivan
Casey	Guthrie	Morrow	Taylor
Cates	Hain	Murphy	Thomas
Chambers	Hanby	Nettles	Torbert
Cook	Hankins	Oakley	Trimmier
Copeland	Hardy	Oden	Turner
Cornett	Harris	Perry	Vickers
Daniel	Harvey		

—90

And the bill:

H. 934. To authorize the Governing body of the County, in all counties having a population of 150,000 and not more than 300,000 according to the federal decennial census of 1960 or any subsequent federal decennial census, to employ an administrative assistant, which person must have obtained the age of 75 years and served 30 consecutive years as a member of the governing body of said County, to prescribe his duties and to fix his compensation.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Daniel	Harvey	Phillips
Adams	Dickson	Hawkins	Pierce
Albea	Dodd	Ingram	Powell
Avery	Dunn	Jenkins	Pruitt
Bailey	Edwards	Johnson (Hardaway)	Ramey
Barnett	Engel	Johnson (J. T. Tom)	Rast
Bassett	Ferguson	Johnston (Leonard)	Ray
Bevill	Franklin	Jones (Covington)	Rogers
Bishop	Gilmer	Lee	Self
Boyd	Glass	Locke	Sessions
Branyon	Goldthwaite	Long (Perry)	Shumate
Britton	Goodwyn	McClendon (Chambers)	Smith (St. Clair)
Brooks	Gordon	McCorquodale	Solomon
Cabiness	Grant	Martin	Steagall
Callahan	Gross	Meade	Sullivan
Camp	Grouby	Merrill	Taylor
Casey	Guthrie	Morrow	Thomas
Cates	Hain	Murphy	Torbert
Chambers	Hanby	Nettles	Trimmier
Cook	Hankins	Oakley	Turner
Copeland	Hardy	Oden	Vickers
Cornett	Harris	Perry	

—87

And the bill:

H. 935. To repeal Act No. 528, H. 992, approved September 2, 1949, entitled "Creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 100,000 people and not more than 140,000 people and for municipalities in such counties having a population of 5,000 or more people, all according to the last or any subsequent Federal Census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provisions of the act; and repealing all laws or parts of laws inconsistent with the provisions hereof." (Acts of Alabama 1949, page 819.)

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Boyd	Chambers	Ferguson
Adams	Branyon	Copeland	Franklin
Albea	Britton	Cornett	Gilmer
Avery	Brooks	Dickson	Goldthwaite
Bailey	Cabiness	Dodd	Goodwyn
Barnett	Callahan	Dunn	Gordon
Bassett	Camp	Edwards	Gross
Bevill	Casey	Engel	Grouby
Bishop	Cates	Faulk	Guthrie

Hain	Lee	Oakley	Self
Hanby	Locke	Oden	Smith (St. Clair)
Hankins	Long (Lauderdale)	Perry	Solomon
Hardy	Long (Perry)	Phillips	Steagall
Harris	McClendon (Chambers)	Pierce	Sullivan
Harvey	McCorquodale	Powell	Taylor
Hawkins	Meade	Pruitt	Thomas
Ingram	Merrill	Ramey	Torbert
Jenkins	Morrow	Rast	Trimmier
Johnson (Hardaway)	Murphy	Ray	Turner
Johnson (J. T. Tom)	Nettles	Rogers	Vickers
Johnston (Leonard)			

—81

And the bill:

H. 936. To repeal Act No. 311, S. 411, approved July 31, 1951, as amended by Act No. 249, S. 311 approved September 30, 1959, to regulate the office of Sheriff in counties of more than 96,000 population and less than 140,000 population, according to the last Federal census or any subsequent Federal census; to fix the compensation of the Sheriff of said counties and to provide for help and assistants and other expense necessary to the conduct of the office of sheriff; to provide for necessary quarters, books, stationery and other necessities necessary to the operation of said office; to provide that the Sheriff shall pay into the county treasury all costs, charges of the courts, fees and commissions authorized by law to be collected by the Sheriff; to provide that the Board of Revenue, or court of like jurisdiction, shall audit the accounts of said Sheriff for the purpose of requiring a strict compliance with the provisions of this Act; to exempt the Sheriff of such counties from court costs; to exempt the Sheriff from liability for acts of the deputies except in certain cases; to require deputy sheriffs to execute official bonds conditioned, payable and approved as the bonds of Sheriffs, and to provide for the bond for the Sheriff and to provide for the payment of Sheriff's and deputies' bonds out of the county treasury; authorizing the Sheriff to appoint an attorney to advise or represent him, and to fix the compensation of said attorney to be paid out of the general fund of the county by the Board of Revenue or like governing body; and providing when and where this Act shall become effective.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Broadfoot	Dodd	Gordon
Adams	Cabiness	Dunn	Gross
Albea	Camp	Edwards	Grouby
Avery	Casey	Engel	Guthrie
Bailey	Cates	Faulk	Hain
Barnett	Chambers	Ferguson	Hanby
Bassett	Cook	Franklin	Hankins
Bevill	Copeland	Gilmer	Hardy
Bishop	Cornett	Glass	Harris
Boyd	Daniel	Goldthwaite	Harvey
Britton	Dickson	Goodwyn	Hawkins

Ingram	McCorquodale	Pierce	Shumate
Jenkins	Martin	Powell	Smith (St. Clair)
Johnson (Hardaway)	Meade	Pruitt	Solomon
Johnson (J. T. Tom)	Merrill	Ramey	Steagall
Johnston (Leonard)	Morrow	Rast	Sullivan
Jones (Covington)	Murphy	Ray	Taylor
Lee	Nettles	Reynolds (Chambers)	Thomas
Locke	Oakley	Rogers	Trimmier
Long (Lauderdale)	Oden	Salter	Turner
Long (Perry)	Perry	Self	Vickers
McClendon (Chambers)	Phillips	Sessions	

—87

And the bill:

H. 937. To regulate the office of Sheriff in counties of more than 150,000 population and less than 300,000 population, according to the last Federal census or any subsequent Federal census; to fix the compensation of the Sheriff of said counties and to provide for help and assistants and other expense necessary to the conduct of the office of Sheriff; to provide for necessary quarters, books, stationery and other necessities necessary to the operation of said office; to provide that the Sheriff shall pay into the county treasury all costs, charges of the courts, fees and commissions authorized by law to be collected by the Sheriff; to provide that the Board of Revenue, or court of like jurisdiction, shall audit the accounts of said Sheriff for the purpose of requiring a strict compliance with the provisions of this Act; to exempt the Sheriff of such counties from court costs; to exempt the Sheriff from liability for acts of the deputies except in certain cases; to require deputy sheriffs to execute official bonds conditioned, payable and approved as the bonds of Sheriffs, and to provide for the bond for the Sheriff and to provide for the payment of Sheriff's and deputies' bonds out of the county treasury; authorizing the Sheriff to appoint an attorney to advise or represent him, and to fix the compensation of said attorney to be paid out of the general fund of the county by the Board of Revenue or like governing body; and providing when and where this Act shall become effective.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Casey	Franklin	Harris
Adams	Cates	Gilmer	Harvey
Albea	Chambers	Glass	Hawkins
Avery	Cook	Goldthwaite	Ingram
Bailey	Copeland	Goodwyn	Jenkins
Barnett	Cornett	Gordon	Johnson (Hardaway)
Bassett	Daniel	Grant	Johnson (J. T. Tom)
Bevill	Dickson	Gross	Johnston (Leonard)
Bishop	Dodd	Grouby	Lee
Branyon	Dunn	Guthrie	Locke
Britton	Edwards	Hain	Long (Lauderdale)
Brooks	Engel	Hanby	Long (Perry)
Cabiness	Faulk	Hankins	McClendon (Chambers)
Camp	Ferguson	Hardy	McCorquodale

Meade	Phillips	Reynolds (Chambers)	Steagall
Merrill	Pierce	Rogers	Sullivan
Morrow	Powell	Salter	Taylor
Murphy	Pruitt	Self	Thomas
Nettles	Ramey	Shumate	Trimmier
Oakley	Rast	Smith (St. Clair)	Turner
Oden	Ray	Solomon	Vickers
Perry			

—85

And the bill:

H. 938. To repeal an act of the legislature entitled "An Act to authorize all cities in the State of Alabama having a population exceeding 78,000 and not exceeding 125,000 inhabitants, according to the 1950 or any succeeding regular decennial Federal census, or which shall hereafter have such population, according to any such census that may hereafter be taken, to enact ordinances to establish and maintain a general system of pensions and retirements, including allowances payable on retirement for age or disability, or benefits on separation from service, for the benefit of their regular employees whose salaries are paid on a monthly basis, with necessary classification and terms of admission; and providing that upon the establishment of any system of pensions and retirements such employees theretofore or thereafter appointed shall be eligible, subject to such exceptions, limitations and restrictions as deemed expedient, to admission to such system; to authorize such ordinances to prescribe the manner in which the system may be conducted and its funds collected and distributed; to authorize such cities enacting such ordinances to establish such board for the administration of the fund as is deemed expedient, and to permit the governing body of the city to serve as such board; to require the participating employees and the city to contribute to the funds of such retirement system and to provide for the fixing of the rates of contribution; to require the board to have prepared annually actuarial valuation of the assets and liabilities of the system and to permit on the basis of such valuation increase or decrease in the rates of contribution; to require such pension or retirement system organized under the provisions of this act to create and maintain reserves, calculated to be adequate to cover the liabilities on account of benefits payable under the ordinances, on the basis of an interest rate not in excess of four per centum per annum, and mortality, disability and other experience tables, or a similar group of employees; to authorize the reserves required in respect of service rendered or benefits granted prior to the date of the organization of such system under the provisions of this act to be accumulated on a basis calculated to produce a balance between the actuarial present value of the assets and of the liabilities of the system within a period of not exceeding thirty years from the date of establishment of said system; to authorize the organization of a retirement system under this act to provide for the cessation, limitation or application of any former system or retirement benefits applying to persons eligible to be included in the newly organized system provided that any funds of such former system transferred to the newly organized system shall be applied first to the payment of the benefits on account of which such funds were contributed; to require that the funds of such retirement system organized under the provisions of this act constitute a trust fund to be used only for the purpose of providing the benefits of such retirement system and shall be held independently of the funds in the treasury of the city; to require that the ordinances provide for trustees, to invest and reinvest the funds of the system and the terms and restrictions in the manner of

making such investments; to provide that the property of said system, the portion of wages or salary of an employee deducted or to be deducted, the right of an employee to a benefit, and all his rights in the funds of the system shall be exempt from taxation, attachment, execution or other process to satisfy any debt or liability of any employee of the system and any law relating to bankruptcy or insolvency; to provide that no assignment of any right in said funds or any benefits under the provisions of said ordinances shall be valid; to provide the time of taking effect of this act." (Act number 403, S-504, General Acts of Alabama, 1951, page 725, approved August 15, 1951) and to repeal the amendment thereto, which is an act of the legislature entitled "An act to amend Section 1 of Act No. 403, S. 504, approved August 15, 1951 (Acts of Alabama, 1951, p. 725), which authorizes all cities in the State of Alabama having a population exceeding 78,000 and not exceeding 125,000 inhabitants to enact ordinances to establish and maintain a general system of pensions and retirements for the benefit of their employees." (Act number 235, HB number 667, General Acts of Alabama, 1957, page 295, approved August 13, 1957.)

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dickson	Hawkins	Pierce
Adams	Dodd	Ingram	Powell
Albea	Dunn	Jenkins	Pruitt
Avery	Edwards	Johnson (Hardaway)	Ramey
Barnett	Engel	Johnson (J. T. Tom)	Rast
Bassett	Faulk	Johnston (Leonard)	Ray
Bevill	Ferguson	Jones (Covington)	Reynolds (Chambers)
Bishop	Franklin	Lee	Rogers
Boyd	Gilmer	Locke	Salter
Branyon	Glass	Long (Lauderdale)	Self
Britton	Goldthwaite	Long (Perry)	Sessions
Broadfoot	Goodwyn	McClendon (Chambers)	Shumate
Brooks	Gordon	McCorquodale	Smith (St. Clair)
Cabiness	Grant	Martin	Solomon
Callahan	Gross	Meade	Steagall
Camp	Grouby	Merrill	Sullivan
Casey	Guthrie	Morrow	Taylor
Cates	Hain	Murphy	Thomas
Chambers	Hanby	Nettles	Torbert
Cook	Hankins	Oakley	Trimmier
Copeland	Hardy	Oden	Turner
Cornett	Harris	Perry	Vickers
Daniel	Harvey	Phillips	

—91

And the bill:

H. 939. To authorize all cities in the State of Alabama having a population exceeding 100,000 and not exceeding 200,000 inhabitants, according to the 1960 or any succeeding regular decennial Federal Census, or which shall hereafter have such population according to any such census that may hereafter be taken, to enact ordinances to establish and maintain

a general system of pensions and retirements, including allowances payable on retirement for age or disability, or benefits on separation from service, for the benefit of their regular employees, including regular employees whose compensation is computed and paid on a per diem basis, and the regular employees of any board or commission, with necessary classification and terms of admission; and providing that upon the establishment of any system of pensions and retirements such employees theretofore or thereafter appointed shall be eligible, subject to such exceptions, limitations and restrictions as deemed expedient, to admission to such system; to authorize such ordinances to prescribe the manner in which the system may be conducted and its funds collected and distributed; to authorize such cities enacting such ordinances to establish such board for the administration of the fund as is deemed expedient, and to permit the governing body of the city to serve as such board; to require the participating employees and the city to contribute to the funds of such retirement system and to provide for the fixing of the rates of contribution; to require the board to have prepared annually actuarial valuation of the assets and liabilities of the system and to permit, on the basis of such valuation, increase or decrease in the rates of contribution; to require such pension or retirement system organized under the provisions of this Act to create and maintain reserves, calculated to be adequate to cover the liabilities on account of benefits payable under the ordinances, on the basis of an interest rate not in excess of four per centum per annum, and mortality, disability and other experience tables, or a similar group of employees; to authorize the reserves required in respect of service rendered or benefits granted prior to the date of the organization of such system under the provisions of this Act to be accumulated on a basis calculated to produce a balance between the actuarial present value of the assets and of the liabilities of the system within a period of not exceeding thirty years from the date of establishment of said system; to authorize the organization of a retirement system under this Act to provide for the cessation, limitation or application of any former system of retirement benefits applying to persons eligible to be included in the newly organized system provided that any funds of such former system transferred to the newly organized system shall be applied first to the payment of the benefits on account of which such funds were contributed; to require that the funds of such retirement system organized under the provisions of this Act constitute a trust fund to be used only for the purpose of providing the benefits of such retirement system and shall be held independently of the funds in the treasury of the city; to require that the ordinances provide for trustees, to invest and reinvest the funds of the system and the terms and restrictions in the manner of making such investments; to provide that the property of said system, the portion of wages or salary of an employee deducted or to be deducted, the right of an employee to a benefit, and all his rights in the funds of the system shall be exempt from taxation, attachment, execution or other process to satisfy any debt or liability of any employee of the system and any law relating to bankruptcy or insolvency; to provide that no assignment of any right in said funds or any benefits under the provisions of said ordinances shall be valid; to provide the time of taking effect of this Act.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dodd	Ingram	Powell
Adams	Dunn	Jenkins	Pruitt
Albea	Edwards	Johnson (Hardaway)	Ramey
Avery	Engel	Johnson (J. T. Tom)	Rast
Bailey	Faulk	Johnston (Leonard)	Ray
Barnett	Ferguson	Jones (Covington)	Reynolds (Chambers)
Bassett	Franklin	Lee	Rogers
Bevill	Gilmer	Locke	Salter
Bishop	Glass	Long (Lauderdale)	Self
Branyon	Goldthwaite	Long (Perry)	Sessions
Britton	Goodwyn	McClendon (Chambers)	Shumate
Broadfoot	Gordon	McCorquodale	Smith (St. Clair)
Brooks	Grant	Martin	Solomon
Cabiness	Gross	Meade	Steagall
Camp	Grouby	Merrill	Sullivan
Casey	Guthrie	Morrow	Taylor
Cates	Hain	Murphy	Thomas
Chambers	Hanby	Nettles	Torbert
Cook	Hankins	Oakley	Trimmier
Copeland	Hardy	Oden	Turner
Cornett	Harris	Perry	Turnham
Daniel	Harvey	Phillips	Vickers
Dickson	Hawkins	Pierce	

—91

And the bill:

H. 940. To propose an amendment to the Constitution relative to the levy and collection of a special property tax for educational purposes in the city of Tuscumbia.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cates	Gross	McClendon (Chambers)
Adams	Chambers	Grouby	McCorquodale
Albea	Cook	Guthrie	Martin
Avery	Copeland	Hain	Meade
Bailey	Cornett	Hanby	Merrill
Barnett	Daniel	Hankins	Morrow
Bassett	Dickson	Hardy	Murphy
Bevill	Dodd	Harris	Nettles
Bishop	Dunn	Harvey	Oakley
Boyd	Edwards	Hawkins	Oden
Branyon	Engel	Ingram	Perry
Britton	Ferguson	Jenkins	Phillips
Broadfoot	Franklin	Johnson (J. T. Tom)	Pierce
Brooks	Gilmer	Johnston (Leonard)	Powell
Cabiness	Glass	Jones (Covington)	Pruitt
Callahan	Goodwyn	Lee	Ramey
Camp	Gordon	Locke	Rast
Casey	Grant	Long (Perry)	Ray

Rogers	Shumate	Sullivan	Trimmier
Salter	Smith (St. Clair)	Taylor	Turner
Self	Solomon	Thomas	Vickers
Sessions	Steagall	Torbert	

—87

And the bill:

H. 941. To propose an amendment to the Constitution relative to the levy and collection of a special property tax for educational purposes in the city of Sheffield.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Dickson	Ingram	Pruitt
Adams	Dodd	Johnson (Hardaway)	Ramey
Albea	Dunn	Johnson (J. T. Tom)	Rast
Avery	Edwards	Johnston (Leonard)	Ray
Barnett	Engel	Jones (Covington)	Reynolds (Chambers)
Bassett	Faulk	Locke	Rogers
Bevill	Ferguson	Long (Perry)	Self
Bishop	Franklin	McClendon (Chambers)	Sessions
Branyon	Gilmer	McCorquodale	Shumate
Britton	Glass	Martin	Smith (St. Clair)
Broadfoot	Gordon	Meade	Solomon
Brooks	Grant	Merrill	Speaks
Cabiness	Gross	Morrow	Steagall
Callahan	Grouby	Murphy	Sullivan
Camp	Guthrie	Nettles	Taylor
Casey	Hain	Oakley	Thomas
Cates	Hanby	Oden	Torbert
Chambers	Hankins	Perry	Turner
Cook	Hardy	Phillips	Trimmier
Copeland	Harris	Pierce	Turnham
Cornett	Harvey	Powell	Vickers
Daniel	Hawkins		

—86

And the bill:

H. 942. To propose an amendment to the Constitution of Alabama relating to Madison County and the City of Huntsville; authorizing each of them to purchase, construct, lease and otherwise acquire industrial, commercial and agricultural projects to lease, sell, exchange and otherwise convey all or any part of any such project and, after an approving bond election, to issue its interest-bearing general obligation bonds therefor; to specify the details respecting such bond elections; to limit the amount of bonds that said county and said city may have outstanding under the authority of said amendment; to require, as a condition precedent to the issuance of any such bonds, a lease or other similar agreement providing for the payment to the issuer of such bonds of rentals sufficient to

pay the debt service on such bonds; to require the pledge of such rentals for such bonds and to authorize other security for such bonds; to authorize the said county or said city, as the case may be, if such action is necessary to prevent or cure a default on bonds issued by said county or city, to levy ad valorem taxes, without limit as to rate or amount and in addition to all other taxes then authorized, on the assessed value of all taxable property therein; to provide that in carrying out the purposes of said amendment neither said county nor said city shall be subject to the provisions of Section 93 of the Constitution of Alabama; and to provide that said amendment shall be self-executing but that the legislature shall have the power to enact supplemental general, special or local legislation notwithstanding any contrary provisions of Section 104 of the Constitution of Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Daniel	Harvey	Powell
Adams	Dickson	Hawkins	Pruitt
Albea	Dodd	Ingram	Ramey
Avery	Dunn	Johnson (Hardaway)	Rast
Barnett	Edwards	Johnston (Leonard)	Ray
Bassett	Engel	Jones (Covington)	Roberts
Bevill	Faulk	Locke	Rogers
Bishop	Ferguson	Long (Lauderdale)	Salter
Boyd	Franklin	Long (Perry)	Self
Branyon	Gilmer	McClendon (Chambers)	Sessions
Britton	Glass	McCorquodale	Shumate
Broadfoot	Goodwyn	Martin	Smith (St. Clair)
Brooks	Gordon	Meade	Solomon
Cabiness	Grant	Merrill	Speaks
Callahan	Gross	Morrow	Steagall
Camp	Grouby	Murphy	Sullivan
Casey	Guthrie	Nettles	Taylor
Cates	Hain	Oakley	Thomas
Chambers	Hanby	Perry	Turner
Cook	Hankins	Phillips	Turnham
Copeland	Hardy	Pierce	Vickers
Cornett	Harris		

—86

And the bill:

H. 943. To propose a constitutional amendment relative to levying additional taxes in Baldwin County for public school purposes.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Dickson	Ingram	Pruitt
Adams	Dodd	Jenkins	Ramey
Albea	Dunn	Johnson (Hardaway)	Rast
Avery	Edwards	Johnson (J. T. Tom)	Ray
Barnett	Engel	Johnston (Leonard)	Reynolds (Chambers)
Bassett	Faulk	Jones (Covington)	Roberts
Bevill	Ferguson	Locke	Rogers
Bishop	Franklin	Long (Perry)	Salter
Boyd	Gilmer	McClendon (Chambers)	Self
Branyon	Glass	McCorquodale	Sessions
Britton	Goodwyn	Martin	Shumate
Brooks	Gordon	Meade	Smith (St. Clair)
Cabiness	Grant	Merrill	Solomon
Callahan	Gross	Morrow	Steagall
Camp	Grouby	Murphy	Sullivan
Casey	Guthrie	Nettles	Taylor
Cates	Hain	Oakley	Thomas
Chambers	Hanby	Oden	Torbert
Cook	Hankins	Perry	Turner
Copeland	Harris	Pierce	Turnham
Cornett	Harvey	Powell	Vickers
Daniel	Hawkins		

—86

And the bill:

H. 944. Proposing an amendment to the Constitution of Alabama relating to the compensation of certain officers of Elmore County.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Daniel	Hawkins	Pierce
Adams	Dickson	Ingram	Powell
Albea	Dodd	Jenkins	Pruitt
Avery	Dunn	Johnson (Hardaway)	Ramey
Barnett	Edwards	Johnson (J. T. Tom)	Rast
Bassett	Engel	Johnston (Leonard)	Ray
Bevill	Faulk	Jones (Covington)	Reynolds (Chambers)
Bishop	Ferguson	Locke	Roberts
Boyd	Franklin	Long (Lauderdale)	Rogers
Branyon	Gilmer	Long (Perry)	Salter
Britton	Glass	McClendon (Chambers)	Self
Broadfoot	Goldthwaite	McCorquodale	Sessions
Brooks	Goodwyn	Martin	Shumate
Cabiness	Gordon	Meade	Solomon
Callahan	Grant	Merrill	Steagall
Camp	Gross	Morrow	Sullivan
Casey	Grouby	Murphy	Taylor
Cates	Guthrie	Nettles	Thomas
Chambers	Hanby	Oakley	Torbert
Cook	Hankins	Oden	Turner
Copeland	Harris	Perry	Turnham
Cornett	Harvey	Phillips	Vickers

—88

And the bill:

H. 945. To provide for payment of salaries of deputy sheriffs from the highway and traffic funds of all counties having populations of not less than 28,000 nor more than 30,550.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Dickson	Hawkins	Pierce
Adams	Dodd	Ingram	Powell
Albea	Dunn	Jenkins	Pruitt
Avery	Edwards	Johnson (Hardaway)	Ramey
Barnett	Engel	Johnson (J. T. Tom)	Rast
Bassett	Faulk	Johnston (Leonard)	Ray
Bevill	Ferguson	Jones (Covington)	Roberts
Bishop	Franklin	Locke	Rogers
Boyd	Gilmer	Long (Perry)	Salter
Branyon	Glass	McClendon (Chambers)	Self
Britton	Goodwyn	McCorquodale	Sessions
Brooks	Gordon	Martin	Shumate
Cabiness	Grant	Meade	Smith (St. Clair)
Callahan	Gross	Merrill	Solomon
Camp	Grouby	Morrow	Steagall
Casey	Guthrie	Murphy	Sullivan
Cates	Hain	Nettles	Taylor
Chambers	Hanby	Oakley	Thomas
Cook	Hankins	Oden	Turner
Copeland	Hardy	Perry	Turnham
Cornett	Harris	Phillips	Vickers
Daniel	Harvey		

—86

And the bill:

H. 947. To amend Section 8 of the act approved May 24, 1957, creating a Board of Revenue and Control for Houston County (Act No. 9, S. 93, Acts of Alabama, Regular Session 1957, Vol. I, p. 33), in relation to increasing the biddable minimum for competitive bidding on county purchases and contracts.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Barnett	Boyd	Cabiness
Adams	Bassett	Branyon	Callahan
Albea	Bevill	Britton	Camp
Avery	Bishop	Brooks	Casey

Cates	Gross	McClendon (Chambers)	Ray
Chambers	Grouby	McCorquodale	Rogers
Cook	Guthrie	Martin	Salter
Copeland	Hain	Meade	Self
Cornett	Hanby	Merrill	Sessions
Daniel	Hankins	Morrow	Shumate
Dickson	Hardy	Murphy	Smith (St. Clair)
Dodd	Harris	Nettles	Solomon
Dunn	Harvey	Oakley	Speaks
Edwards	Hawkins	Oden	Steagall
Engel	Ingram	Perry	Sullivan
Ferguson	Jenkins	Phillips	Taylor
Franklin	Johnson (Hardaway)	Pierce	Thomas
Gilmer	Johnson (J. T. Tom)	Powell	Torbert
Glass	Johnston (Leonard)	Pruitt	Turner
Goodwyn	Jones (Covington)	Ramey	Turnham
Gordon	Locke	Rast	Vickers
Grant	Long (Perry)		

—86

And the bill:

H. 948. Proposing an amendment to the Constitution of Alabama relating to industrial development of Lawrence County and municipalities therein.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Dickson	Ingram	Powell
Adams	Dodd	jenkins	Fruitt
Albea	Dunn	Johnson (Hardaway)	Ramey
Avery	Edwards	Johnson (J. T. Tom)	Rast
Barnett	Engel	Johnston (Leonard)	Ray
Bassett	Faulk	Jones (Covington)	Reynolds (Chambers)
Bevill	Ferguson	Locke	Rogers
Bishop	Franklin	Long (Lauderdale)	Salter
Boyd	Gilmer	Long (Perry)	Self
Branyon	Glass	McClendon (Chambers)	Sessions
Britton	Goodwyn	McCorquodale	Shumate
Broadfoot	Cordon	Martin	Smith (St. Clair)
Brooks	Grant	Meade	Solomon
Cabiness	Gross	Merrill	Speaks
Callahan	Grouby	Morrow	Steagall
Camp	Guthrie	Murphy	Sullivan
Casey	Hain	Nettles	Taylor
Cates	Hanby	Oakley	Thomas
Chambers	Hankins	Oden	Torbert
Cook	Hardy	Perry	Turner
Copeland	Harris	Phillips	Turnham
Cornett	Harvey	Pierce	Vickers
Daniel	Hawkins		

—90

And the bill:

H. 950. To repeal the local act approved May 22, 1953 (Act No. 20, H. 82, Acts of 1953, p. 25) entitled "An Act Relating to Marion County; prohibiting the installation of coin operated parking meter devices in any city, town or other incorporated municipality located therein."

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Dickson	Hawkins	Pierce
Adams	Dodd	Ingram	Powell
Albea	Dunn	Johnson (Hardaway)	Pruitt
Avery	Edwards	Johnson (J. T. Tom)	Ramey
Barnett	Engel	Johnston (Leonard)	Ray
Bassett	Ferguson	Jones (Covington)	Rogers
Bevill	Franklin	Locke	Salter
Bishop	Gilmer	Long (Lauderdale)	Self
Boyd	Glass	Long (Perry)	Sessions
Branyon	Goodwyn	McClendon (Chambers)	Shumate
Britton	Gordon	McCorquodale	Smith (St. Clair)
Brooks	Grant	Martin	Solomon
Cabiness	Gross	Meade	Speaks
Callahan	Grouby	Merrill	Steagall
Camp	Guthrie	Morrow	Sullivan
Casey	Hain	Murphy	Taylor
Cates	Hanby	Nettles	Thomas
Chambers	Hankins	Oakley	Torbert
Copeland	Hardy	Oden	Turner
Cornett	Harris	Perry	Turnham
Daniel	Harvey	Phillips	Vickers

—84

And the bill:

H. 951. To repeal Act No. 369, H. 629, approved July 6, 1943, an act providing for deputy county treasurers in certain counties classified on a population basis (Gen. Acts of Alabama 1943, p. 339).

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Bevill	Brooks	Chambers
Adams	Bishop	Cabiness	Cook
Albea	Boyd	Callahan	Cornett
Avery	Branyon	Camp	Daniel
Barnett	Britton	Casey	Dickson
Bassett	Broadfoot	Cates	Dodd

Dunn	Hankins	Meade	Rogers
Edwards	Hardy	Merrill	Salter
Engel	Harris	Morrow	Self
Faulk	Harvey	Murphy	Sessions
Ferguson	Hawkins	Nettles	Shumate
Franklin	Ingram	Oakley	Smith (St. Clair)
Gilmer	Jenkins	Oden	Solomon
Glass	Johnson (Hardaway)	Perry	Steagall
Goodwyn	Johnson (J. T. Tom)	Phillips	Sullivan
Gordon	Johnston (Leonard)	Pierce	Taylor
Grant	Jones (Covington)	Powell	Thomas
Gross	Locke	Pruitt	Torbert
Grouby	Long (Perry)	Ramey	Turner
Guthrie	McClendon (Chambers)	Rast	Turnham
Hain	McCorquodale	Ray	Vickers
Hanby	Martin		

—86

And the bill:

H. 952. To repeal Section 42, Title 62, Code of Alabama 1940, relating to the appointment of a deputy county treasurer for Mobile County.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Daniel	Harvey	Pierce
Adams	Dickson	Hawkins	Powell
Albea	Dodd	Ingram	Pruitt
Avery	Dunn	Jenkins	Ramey
Barnett	Edwards	Johnson (Hardaway)	Rast
Bassett	Engel	Johnson (J. T. Tom)	Ray
Bevill	Ferguson	Johnston (Leonard)	Reynolds (Chambers)
Bishop	Franklin	Locke	Rogers
Boyd	Gilmer	Long (Perry)	Sessions
Branyon	Glass	McClendon (Chambers)	Shumate
Britton	Goodwyn	McCorquodale	Smith (St. Clair)
Broadfoot	Gordon	Martin	Solomon
Brooks	Grant	Meade	Speaks
Cabiness	Gross	Merrill	Steagall
Callahan	Grouby	Morrow	Sullivan
Camp	Guthrie	Murphy	Taylor
Casey	Hain	Nettles	Thomas
Cates	Hanby	Oakley	Torbert
Chambers	Hankins	Oden	Turner
Cook	Hardy	Perry	Turnham
Copeland	Harris	Phillips	Vickers
Cornett			

—85

And the bill:

H. 954. Proposing an amendment to the Constitution of Alabama relative to promotion of economic development of St. Clair County.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Daniel	Hawkins	Powell
Adams	Dickson	Ingram	Pruitt
Albea	Dodd	Jenkins	Ramey
Avery	Dunn	Johnson (Hardaway)	Rast
Barnett	Edwards	Johnson (J. T. Tom)	Ray
Bassett	Engel	Johnston (Leonard)	Reynolds (Chambers)
Bevill	Ferguson	Locke	Rogers
Bishop	Franklin	Long (Lauderdale)	Self
Boyd	Gilmer	Long (Perry)	Sessions
Branyon	Glass	McClendon (Chambers)	Shumate
Britton	Goodwyn	McCorquodale	Smith (St. Clair)
Broadfoot	Gordon	Martin	Solomon
Brooks	Grant	Meade	Speaks
Cabiness	Gross	Merrill	Steagall
Callahan	Grouby	Morrow	Sullivan
Camp	Guthrie	Murphy	Taylor
Casey	Hain	Nettles	Thomas
Cates	Hanby	Oakley	Torbert
Chambers	Hankins	Oden	Turner
Cook	Hardy	Perry	Turnham
Copeland	Harris	Phillips	Vickers
Cornett	Harvey	Pierce	

—87

And the bill:

H. 956. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 31, Township 16 North, Range 18 East, Montgomery County, Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Callahan	Faulk	Hankins
Adams	Camp	Ferguson	Hardy
Albea	Casey	Franklin	Harris
Avery	Cates	Gilmer	Harvey
Barnett	Cook	Glass	Hawkins
Bassett	Copeland	Goldthwaite	Ingram
Bevill	Cornett	Goodwyn	Jenkins
Bishop	Daniel	Gordon	Johnson (Hardaway)
Boyd	Dickson	Grant	Johnson (J. T. Tom)
Branyon	Dodd	Gross	Johnston (Leonard)
Britton	Dunn	Grouby	Locke
Brooks	Edwards	Hain	Long (Perry)
Cabiness	Engel	Hanby	McClendon (Chambers)

McCorquodale	Oden	Ray	Steagall
Martin	Perry	Reynolds (Chambers)	Sullivan
Meade	Phillips	Rogers	Taylor
Merrill	Pierce	Self	Thomas
Morrow	Powell	Sessions	Turner
Murphy	Pruitt	Shumate	Turnham
Nettles	Ramey	Solomon	Vickers
Oakley	Rast	Speaks	

—83

BILLS POSTPONED

On motion of Mr. Camp, consideration of the bills, H. 959, S. 30 and S. 31, was postponed until the next legislative day.

And the bill:

H. 926. For the relief of C. F. Simmons, former sheriff of Jackson County, Alabama, to authorize the said C. F. Simmons to re-register existing claims against the Jackson County Fine and Forfeiture Fund.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Daniel	Hawkins	Phillips
Adams	Dickson	Ingram	Pierce
Albea	Dodd	Jenkins	Powell
Avery	Dunn	Johnson (Hardaway)	Pruitt
Barnett	Edwards	Johnson (J. T. Tom)	Ramey
Bassett	Engel	Johnston (Leonard)	Rast
Bevill	Faulk	Jones (Covington)	Ray
Bishop	Ferguson	Locke	Reynolds (Chambers)
Boyd	Franklin	Long (Lauderdale)	Rogers
Branyon	Gilmer	Long (Perry)	Salter
Britton	Glass	McClendon (Chambers)	Self
Broadfoot	Goodwyn	McCorquodale	Shumate
Brooks	Gordon	Martin	Solomon
Cabiness	Grant	Meade	Speaks
Callahan	Grouby	Merrill	Steagall
Camp	Guthrie	Morrow	Sullivan
Casey	Hain	Murphy	Taylor
Cates	Hanby	Nettles	Thomas
Chambers	Hankins	Oakley	Turner
Cook	Hardy	Oden	Turnham
Copeland	Harris	Perry	Vickers
Cornett	Harvey		

—86

And the bill:

H. 960. To alter, rearrange, and extend the corporate limits of the City of Anniston in Calhoun County, from time to time, whenever the Board of Commissioners of the City of Anniston shall pass a resolution

to the effect that the public good requires such alteration, rearrangement, and extension, and providing for an election to determine whether any such alteration, rearrangement, and extension of the corporate limits of the City of Anniston, Alabama, shall be made.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Daniel	Harris	Phillips
Adams	Dickson	Harvey	Pierce
Albea	Dodd	Hawkins	Powell
Avery	Dunn	Ingram	Pruitt
Barnett	Edwards	Jenkins	Ramey
Bassett	Engel	Johnson (Hardaway)	Rast
Bevill	Faulk	Johnson (J. T. Tom)	Ray
Bishop	Ferguson	Johnston (Leonard)	Reynolds (Chambers)
Boyd	Franklin	Jones (Covington)	Rogers
Branyon	Gilmer	Locke	Salter
Britton	Glass	Long (Perry)	Self
Broadfoot	Goodwyn	McClendon (Chambers)	Sessions
Brooks	Gordon	McCorquodale	Smith (St. Clair)
Cabiness	Grant	Meade	Solomon
Callahan	Gross	Merrill	Speaks
Camp	Grouby	Morrow	Steagall
Casey	Guthrie	Murphy	Sullivan
Cates	Hain	Nettles	Thomas
Chambers	Hanby	Oakley	Torbert
Cook	Hankins	Oden	Turner
Copeland	Hardy	Perry	Turnham
Cornett			

—85

And the bill:

H. 961. To alter, rearrange, and extend the corporate limits of the City of Anniston in Calhoun County, Alabama, so as to annex certain territory to said City.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Boyd	Casey	Dodd
Adams	Branyon	Cates	Dunn
Albea	Britton	Chambers	Edwards
Avery	Broadfoot	Cook	Engel
Barnett	Brooks	Copeland	Faulk
Bassett	Cabiness	Cornett	Ferguson
Bevill	Callahan	Daniel	Franklin
Bishop	Camp	Dickson	Gilmer

Glass	Hawkins	Morrow	Reynolds (Chambers)
Goodwyn	Ingram	Murphy	Rogers
Gordon	Jenkins	Nettles	Salter
Grant	Johnson (Hardaway)	Oakley	Self
Gross	Johnson (J. T. Tom)	Oden	Shumate
Grouby	Johnston (Leonard)	Perry	Smith (St. Clair)
Guthrie	Jones (Covington)	Phillips	Solomon
Hain	Locke	Pierce	Speaks
Hanby	Long (Perry)	Powell	Steagall
Hankins	McClendon (Chambers)	Pruitt	Sullivan
Hardy	McCorquodale	Ramey	Taylor
Harris	Meade	Rast	Turner
Harvey	Merrill	Ray	Vickers

—84

And the bill:

H. 962. To provide for the collection, preservation, and safekeeping of certain items of historical value in DeKalb County and for this purpose creating and providing for the organization, powers, duties, and authority of the historical commission of DeKalb County and prescribing the qualifications and term of members thereof; to name the first members of the commission and provide for the appointment of their successors; to provide that certain expenses relative to effectuating this act shall be borne by DeKalb County; and to direct the county governing body to perform certain duties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Dickson	Hawkins	Phillips
Adams	Dodd	Ingram	Pierce
Albea	Dunn	Jenkins	Powell
Avery	Edwards	Johnson (Hardaway)	Pruitt
Barnett	Engel	Johnson (J. T. Tom)	Ramey
Bassett	Faulk	Johnston (Leonard)	Rast
Bevill	Ferguson	Jones (Covington)	Ray
Bishop	Franklin	Locke	Rogers
Boyd	Gilmer	Long (Lauderdale)	Self
Branyon	Glass	Long (Perry)	Sessions
Britton	Goodwyn	McClendon (Chambers)	Shumate
Broadfoot	Gordon	McCorquodale	Smith (St. Clair)
Brooks	Grant	Martin	Solomon
Cabiness	Gross	Meade	Speaks
Callahan	Grouby	Merrill	Steagall
Camp	Guthrie	Morrow	Sullivan
Casey	Hain	Murphy	Taylor
Cates	Hanby	Nettles	Thomas
Chambers	Hankins	Oakley	Torbert
Cook	Hardy	Oden	Turner
Copeland	Harris	Owens	Turnham
Cornett	Harvey	Perry	Vickers
Daniel			

—89

H. 963 POSTPONED

On motion of Mr. Speaks, consideration of the bill, H. 963, was postponed until the next legislative day.

And the bill:

H. 964. To amend further Act No. 115, H. 409, Regular Session 1949, an act levying in Marion County additional special privilege or license taxes and excise taxes equaling fifty percentum of and otherwise paralleling state sales and use taxes (Acts 1949, p. 139), so as to provide further for the use of the proceeds of such taxes, to provide for the expiration of the taxes levied, and to require that all revenue derived from such taxes shall be set aside and kept separate and apart in a sinking fund for the payment of the principal of and interest on any county hospital bonds or warrants issued before January 1, 1960.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Dickson	Hawkins	Pierce
Adams	Dodd	Ingram	Powell
Albea	Dunn	Jenkins	Pruitt
Avery	Edwards	Johnson (Hardaway)	Ramey
Barnett	Engel	Johnson (J. T. Tom)	Rast
Bassett	Faulk	Johnston (Leonard)	Ray
Bevill	Ferguson	Jones (Covington)	Rogers
Bishop	Franklin	Locke	Self
Boyd	Gilmer	Long (Perry)	Sessions
Branyon	Glass	McClendon (Chambers)	Shumate
Britton	Goodwyn	McCorquodale	Smith (St. Clair)
Brooks	Gordon	Martin	Solomon
Cabiness	Grant	Meade	Speaks
Callahan	Gross	Merrill	Steagall
Camp	Grouby	Morrow	Sullivan
Casey	Guthrie	Murphy	Taylor
Cates	Hain	Nettles	Thomas
Chambers	Hanby	Oakley	Torbert
Cook	Hankins	Oden	Turner
Copeland	Hardy	Owens	Turnham
Cornett	Harris	Perry	Vickers
Daniel	Harvey	Phillips	

—87

And the bill:

H. 965. To provide additional revenue for educational purposes in Monroe County; authorizing the court of county commissioners, board of revenue, or like county governing body, to levy, when approved at a referendum election, special county privilege license and excise taxes paralleling, at lower rates, state sales and use taxes as provided for in Act No. 100, H. 94, approved August 18, 1959, and in Article 11 of Chapter 20, Title 51, Code of Alabama 1940, as heretofore amended and supple-

mented; providing for collection and enforcement of such taxes by the state department of revenue.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Dickson	Ingram	Phillips
Adams	Dodd	Jenkins	Powell
Albea	Dunn	Johnson (Hardaway)	Pruitt
Avery	Engel	Johnson (J. T. Tom)	Ramey
Barnett	Faulk	Johnston (Leonard)	Rast
Bassett	Ferguson	Jones (Covington)	Ray
Bishop	Franklin	Locke	Reynolds (Chambers)
Boyd	Glass	Long (Perry)	Rogers
Branyon	Goodwyn	McClendon (Chambers)	Self
Britton	Gordon	McCorquodale	Sessions
Broadfoot	Grant	Martin	Shumate
Brooks	Gross	Meade	Smith (St. Clair)
Cabiness	Grouby	Merrill	Solomon
Callahan	Guthrie	Morrow	Speaks
Camp	Hain	Murphy	Steagall
Casey	Hanby	Nettles	Sullivan
Cates	Hankins	Oakley	Taylor
Chambers	Harris	Oden	Thomas
Copeland	Harvey	Owens	Turner
Cornett	Hawkins	Ferry	Vickers
Daniel			

—81

And the bill:

H. 966. To alter and re-arrange the boundaries and corporate limits of the City of Athens, Limestone County.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Brooks	Dunn	Grouby
Adams	Cabiness	Edwards	Guthrie
Albea	Callahan	Engel	Hain
Avery	Camp	Faulk	Hanby
Barnett	Casey	Ferguson	Hankins
Bassett	Cates	Franklin	Hardy
Bevill	Chambers	Gilmer	Harris
Bishop	Copeland	Glass	Harvey
Boyd	Cornett	Goodwyn	Hawkins
Branyon	Daniel	Gordon	Ingram
Britton	Dickson	Grant	Jenkins
Broadfoot	Dodd	Gross	Johnson (Hardaway)

Johnson (J. T. Tom)	Morrow	Pruitt	Speaks
Johnston (Leonard)	Murphy	Ramey	Steagall
Jones (Covington)	Nettles	Rast	Sullivan
Locke	Oakley	Ray	Taylor
Long (Perry)	Oden	Rogers	Thomas
McClendon (Chambers)	Owens	Self	Torbert
McCorquodale	Perry	Sessions	Turner
Martin	Phillips	Shumate	Turnham
Meade	Pierce	Smith (St. Clair)	Vickers
Merrill	Powell	Solomon	

—87

And the bill:

H. 967. To provide compensation for commissioners of The Selma Housing Authority for performance of certain duties.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Daniel	Harris	Owens
Adams	Dickson	Harvey	Perry
Albea	Dodd	Hawkins	Phillips
Avery	Dunn	Ingram	Pierce
Barnett	Edwards	Jenkins	Powell
Bassett	Engel	Johnson (Hardaway)	Pruitt
Bevill	Faulk	Johnson (J. T. Tom)	Ramey
Bishop	Ferguson	Johnston (Leonard)	Ray
Boyd	Franklin	Jones (Covington)	Rogers
Branyon	Gilmer	Locke	Self
Britton	Glass	Long (Perry)	Shumate
Brooks	Goodwyn	McClendon (Chambers)	Smith (St. Clair)
Cabiness	Gordon	McCorquodale	Solomon
Callahan	Grant	Martin	Steagall
Camp	Gross	Meade	Sullivan
Casey	Grouby	Merrill	Taylor
Cates	Guthrie	Morrow	Thomas
Chambers	Hain	Murphy	Torbert
Cook	Hanby	Nettles	Turner
Copeland	Hankins	Oakley	Turnham
Cornett	Hardy	Oden	Vickers

—84

And the bill:

H. 968. To propose an amendment to the Constitution relating to the levy and collection of special property taxes for educational purposes in the territory subject to the jurisdiction and control of the City Board of Education of Tuscaloosa and in the territory of Tuscaloosa County.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Dickson	Harvey	Perry
Adams	Dodd	Hawkins	Phillips
Albea	Dunn	Ingram	Pierce
Avery	Edwards	Jenkins	Powell
Barnett	Engel	Johnson (Hardaway)	Pruitt
Bassett	Faulk	Johnson (J. T. Tom)	Ramey
Bevill	Ferguson	Johnston (Leonard)	Ray
Bishop	Franklin	Jones (Covington)	Rogers
Boyd	Gilmer	Locke	Self
Branyon	Glass	Long (Perry)	Sessions
Britton	Goodwyn	McClendon (Chambers)	Shumate
Brooks	Gordon	McCorquodale	Smith (St. Clair)
Cabiness	Grant	Martin	Solomon
Callahan	Gross	Meade	Steagall
Camp	Grouby	Merrill	Sullivan
Casey	Cuthrie	Morrow	Taylor
Cates	Hain	Murphy	Thomas
Chambers	Hanby	Nettles	Torbert
Cook	Hankins	Oakley	Turner
Copeland	Hardy	Oden	Turnham
Cornett	Harris	Owens	Vickers
Daniel			

—85

H. 969 POSTPONED

On motion of Mr. Callahan, consideration of the bill, H. 969, was postponed until the next legislative day.

And the bill:

H. 970. Relating to counties having populations of not less than 36,600 nor more than 37,600 according to the 1960 or any subsequent federal decennial census; providing that the circuit court clerk shall not be entitled to receive from the fine and forfeiture fund any fee for services rendered in any case which is not proessed or otherwise dismissed.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Britton	Copeland	Franklin
Adams	Broadfoot	Cornett	Gilmer
Albea	Brooks	Daniel	Glass
Avery	Cabiness	Dickson	Goodwyn
Barnett	Callahan	Dodd	Gordon
Bassett	Camp	Dunn	Grant
Bevill	Casey	Edwards	Grouby
Bishop	Cates	Engel	Cuthrie
Boyd	Chambers	Faulk	Hain
Branyon	Cook	Ferguson	Hanby

Hankins	Long (Lauderdale)	Owens	Shumate
Hardy	Long (Perry)	Perry	Smith (St. Clair)
Harris	McClendon (Chambers)	Phillips	Solomon
Harvey	McCorquodale	Pierce	Steagall
Hawkins	Martin	Powell	Sullivan
Ingram	Meade	Pruitt	Taylor
Jenkins	Merrill	Ramey	Thomas
Johnson (Hardaway)	Morrow	Rast	Torbert
Johnson (J. T. Tom)	Murphy	Ray	Turner
Johnston (Leonard)	Nettles	Rogers	Turnham
Jones (Covington)	Oakley	Self	Vickers
Locke	Oden	Sessions	

—87

BILLS POSTPONED

On motion of Mr. Dodd, consideration of the bills, H. 972, H. 973, H. 974, H. 975, H. 976, H. 977, H. 978, H. 979 and H. 980, was postponed until the next legislative day.

And the bill:

H. 981. To authorize the closing and occupancy by The First National Bank of Mobile, its successors or assigns, in the City of Mobile, Alabama, of the alleyways separating the Old Customs House Building, at the southwest corner of Royal Street and St. Francis Street, on the south from The First National Bank of Mobile Building, and on the west from The First National Bank of Mobile Annex Building, and to vacate a Declaration of Use For Alleyway Purposes executed by the City of Mobile to the Public June 28, 1939, and to vacate and surrender all rights, easements, restrictions or covenants inconsistent with this Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Cook	Cuthrie	Meade
Adams	Copeland	Hain	Merrill
Albea	Cornett	Hanby	Morrow
Avery	Daniel	Hankins	Murphy
Barnett	Dickson	Hardy	Nettles
Bassett	Dodd	Harris	Oakley
Bevill	Dunn	Harvey	Oden
Bishop	Edwards	Hawkins	Owens
Boyd	Engel	Ingram	Phillips
Branyon	Faulk	Jenkins	Pierce
Britton	Ferguson	Johnson (Hardaway)	Powell
Broadfoot	Franklin	Johnson (J. T. Tom)	Ramey
Brooks	Gilmer	Johnston (Leonard)	Rast
Cabiness	Glass	Jones (Covington)	Ray
Callahan	Goldthwaite	Locke	Rogers
Camp	Gordon	Long (Perry)	Self
Casey	Grant	McClendon (Chambers)	Sessions
Cates	Gross	McCorquodale	Shumate
Chambers	Grouby	Martin	Smith (St. Clair)

Solomon
Steagall

Sullivan
Taylor

Thomas
Torbert

Turner
Turnham

—84

And the bill:

H. 984. To alter and re-arrange the boundaries of the town of Centreville, Bibb County, so as to annex certain territory to the town.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Dodd	Ingram	Pierce
Adams	Dunn	Jenkins	Powell
Albea	Edwards	Johnson (Hardaway)	Fruitt
Avery	Engel	Johnson (J. T. Tom)	Ramey
Barnett	Faulk	Johnston (Leonard)	Rast
Bassett	Ferguson	Jones (Covington)	Ray
Bevill	Franklin	Locke	Roberts
Bishop	Gilmer	Long (Perry)	Rogers
Boyd	Glass	McClendon (Chambers)	Self
Branyon	Goldthwaite	McCorquodale	Sessions
Britton	Gordon	Martin	Shumate
Broadfoot	Grant	Meade	Smith (St. Clair)
Brooks	Gross	Merrill	Solomon
Cabiness	Guthrie	Morrow	Steagall
Callahan	Hain	Murphy	Sullivan
Camp	Hanby	Nettles	Taylor
Casey	Hankins	Oakley	Thomas
Cates	Hardy	Oden	Torbert
Cook	Harris	Owens	Turner
Copeland	Harvey	Perry	Turnham
Daniel	Hawkins	Phillips	Vickers
Dickson			

—85

And the bill:

H. 985. To regulate further teacher tenure and status in the public schools of Perry County, granting the county board of education plenary and exclusive power relative to teacher tenure and status in the County, and repealing as to Perry County inconsistent provisions of Code 1940, Title 52, Chapter 13, as amended or supplemented.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Albea	Barnett	Bevill
Adams	Avery	Bassett	Bishop

Boyd	Ferguson	Johnson (J. T. Tom)	Powell
Branyon	Franklin	Johnston (Leonard)	Pruitt
Britton	Gilmer	Jones (Covington)	Ramey
Brooks	Glass	Locke	Rast
Cabiness	Goldthwaite	Long (Perry)	Ray
Callahan	Gordon	McClendon (Chambers)	Roberts
Camp	Grant	McCorquodale	Rogers
Casey	Gross	Martin	Self
Cates	Guthrie	Meade	Sessions
Chambers	Hain	Merrill	Shumate
Cook	Hanby	Morrow	Smith (St. Clair)
Copeland	Hankins	Murphy	Solomon
Cornett	Hardy	Nettles	Steagall
Daniel	Harris	Oakley	Sullivan
Dickson	Harvey	Oden	Taylor
Dodd	Hawkins	Owens	Torbert
Dunn	Ingram	Perry	Turner
Edwards	Jenkins	Phillips	Turnham
Engel	Johnson (Hardaway)	Pierce	Vickers
Faulk			

—85

And the bill:

H. 986. Relating to DeKalb County; providing further for the DeKalb County Commission, providing for the qualifications, elections, terms, powers, duties, authority and compensation of its members; providing for additional duties of the County Commission relating to the requisitioning and purchasing of books, stationery, supplies, printing and printed matter, blanks, forms, machinery, equipment, tools, materials and contractual services needed by such county officials, offices and departments; and fixing the time of meetings of the commission.

Was taken up.

Mr. Harris offered the following amendment to the bill, H. 986:

Amend H. B. 986, Section 2 to read as follows:

Section 2. Each member elected under the provisions of this Act shall receive as full compensation for the services rendered in his capacity as member a salary of one thousand eight hundred dollars (\$1800) per annum, payable in equal monthly installments. Such compensation shall be in lieu of per diem and other allowances provided by general, special or local laws. The President of the commission shall receive as full compensation for the services rendered in his capacity as President a salary of five thousand four hundred dollars (\$5400) per annum, payable in equal monthly installments. Such compensation shall be in lieu of per diem and other allowances provided by general, special or local laws. All members of the commission and the President shall be entitled to be reimbursed out of the county treasury for actual personal expenses incurred by them in the performance of their duties as members of the county governing body.

Also, amend Section 6 by striking, wherever it is found, the term "one hundred dollars (\$100.00)" and inserting therein the term "two hundred dollars (\$200.00)"

And the amendment was adopted.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Daniel	Harvey	Phillips
Albea	Dickson	Hawkins	Pierce
Avery	Dodd	Ingram	Powell
Barnett	Dunn	Jenkins	Pruitt
Bassett	Edwards	Johnson (Hardaway)	Ramey
Bevill	Engel	Johnson (J. T. Tom)	Rast
Bishop	Faulk	Johnston (Leonard)	Ray
Boyd	Ferguson	Jones (Covington)	Roberts
Branyon	Franklin	Locke	Rogers
Britton	Gilmer	Long (Lauderdale)	Self
Broadfoot	Glass	McClendon (Chambers)	Sessions
Brooks	Goldthwaite	McCorquodale	Shumate
Cabiness	Gordon	Meade	Smith (St. Clair)
Callahan	Grant	Merrill	Steagall
Camp	Gross	Morrow	Sullivan
Casey	Guthrie	Murphy	Thomas
Cates	Hain	Nettles	Torbert
Chambers	Hanby	Oakley	Turner
Cook	Hankins	Oden	Turnham
Copeland	Hardy	Owens	Vickers
Cornett	Harris	Perry	

—83

And said bill, H. 986, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without en grossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Daniel	Harvey	Phillips
Adams	Dickson	Hawkins	Pierce
Albea	Dodd	Ingram	Powell
Avery	Dunn	Johnson (Hardaway)	Pruitt
Barnett	Edwards	Johnston (Leonard)	Ramey
Bassett	Engel	Jones (Covington)	Rast
Bevill	Faulk	Locke	Ray
Bishop	Ferguson	Long (Lauderdale)	Roberts
Boyd	Franklin	Long (Perry)	Rogers
Branyon	Gilmer	McClendon (Chambers)	Self
Britton	Glass	McCorquodale	Sessions
Brooks	Goldthwaite	Martin	Shumate
Cabiness	Gordon	Meade	Smith (St. Clair)
Callahan	Grant	Merrill	Solomon
Camp	Gross	Morrow	Steagall
Casey	Guthrie	Murphy	Sullivan
Cates	Hain	Nettles	Thomas
Chambers	Hanby	Oakley	Torbert
Cook	Hankins	Oden	Turner
Copeland	Hardy	Owens	Turnham
Cornett	Harris	Perry	

—83

And the bill:

H. 987. To amend Sections No. 2 and No. 7, of Act Number 636, Regular Session of the Legislature of Alabama, approved September 25, 1957.

To create an inferior Court, to be known as the DeKalb County Inferior Court of DeKalb County, Alabama with the power of justice of the Peace; to prescribe the jurisdiction, authority, powers and duties of said Court and Officers thereof; To provide rules and procedures of said Court; To provide that the DeKalb County Commission shall provide quarters and supplies for said Court; and to provide for the execution of process and operation of said Court:

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Dickson	Ingram	Pierce
Adams	Dodd	Jenkins	Powell
Albea	Dunn	Johnson (Hardaway)	Pruitt
Avery	Edwards	Johnston (Leonard)	Ramey
Barnett	Engel	Jones (Covington)	Rast
Bassett	Faulk	Lee	Ray
Bevill	Ferguson	Locke	Reynolds (Chambers)
Bishop	Franklin	Long (Lauderdale)	Roberts
Boyd	Gilmer	Long (Perry)	Rogers
Branyon	Glass	McClendon (Chambers)	Self
Britton	Goldthwaite	McCorquodale	Sessions
Broadfoot	Gordon	Martin	Shumate
Brooks	Grant	Meade	Smith (St. Clair)
Cabiness	Gross	Merrill	Solomon
Callahan	Guthrie	Morrow	Steagall
Camp	Hain	Murphy	Sullivan
Casey	Hanby	Nettles	Taylor
Cates	Hankins	Oakley	Thomas
Chambers	Hardy	Oden	Torbert
Cook	Harris	Owens	Turner
Copeland	Harvey	Perry	Turnham
Cornett	Hawkins	Phillips	Vickers
Daniel			

—89

And the bill:

H. 988. To permit any bank located in Cherokee County, Alabama, to establish in the municipal limits of Centre, Alabama, one branch bank, branch agency, additional office, or branch place of business in addition to all other branches, agencies, offices or places of business authorized by law, subject to the approval of the State Superintendent of Banks.

Was taken up.

Mr. Meade offered the following substitute for the bill, H. 988:

A BILL
TO BE ENTITLED
AN ACT

To provide for branch banking in Cherokee County.

Be It Enacted by the Legislature Of Alabama:

Section 1. After the effective date of this Act any established bank which is authorized by its charter or by law to do a general banking business in Cherokee County may, with the written consent of the State Superintendent of Banks, open, establish, and operate a branch bank, branch office, or place for doing a banking business anywhere within said County, any other provision of law to the contrary notwithstanding.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Daniel	Ingram	Pierce
Adams	Dickson	Jenkins	Powell
Albea	Dodd	Johnson (Hardaway)	Pruitt
Avery	Dunn	Johnson (J. T. Tom)	Ramey
Barnett	Edwards	Johnston (Leonard)	Rast
Bassett	Engel	Lee	Ray
Bevill	Faulk	Locke	Roberts
Bishop	Ferguson	Long (Lauderdale)	Rogers
Boyd	Franklin	McClendon (Chambers)	Self
Branyon	Gilmer	McCorquodale	Sessions
Britton	Class	Martin	Shumate
Broadfoot	Goldthwaite	Meade	Smith (St. Clair)
Brooks	Gordon	Merrill	Solomon
Cabiness	Grant	Morrow	Steagall
Callahan	Gross	Murphy	Sullivan
Camp	Guthrie	Nettles	Taylor
Casey	Hain	Oakley	Thomas
Cates	Hanby	Oden	Torbert
Chambers	Hankins	Owens	Turner
Cook	Harris	Perry	Turnham
Copeland	Harvey	Phillips	Vickers
Cornett	Hawkins		

And said bill, H. 988, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Daniel	Ingram	Phillips
Adams	Dickson	Jenkins	Pierce
Albea	Dodd	Johnson (Hardaway)	Powell
Avery	Dunn	Johnson (J. T. Tom)	Pruitt
Barnett	Edwards	Johnston (Leonard)	Ramey
Bassett	Engel	Lee	Rast
Bevill	Faulk	Locke	Ray
Bishop	Ferguson	Long (Lauderdale)	Roberts
Boyd	Franklin	Long (Perry)	Rogers
Branyon	Gilmer	McClendon (Chambers)	Self
Britton	Glass	McCorquodale	Sessions
Broadfoot	Goldthwaite	Martin	Shumate
Brooks	Gordon	Meade	Smith (St. Clair)
Cabiness	Grant	Merrill	Solomon
Callahan	Gross	Morrow	Steagall
Camp	Guthrie	Murphy	Sullivan
Casey	Hain	Nettles	Thomas
Cates	Hanby	Oakley	Torbert
Chambers	Hankins	Oden	Turner
Cook	Harris	Owens	Turnham
Copeland	Harvey	Perry	Vickers
Cornett	Hawkins		

—86

And the bill:

H. 991. To amend Section four (4) of an Act of the Legislature approved March 23, 1955, entitled: An Act; To establish in Mobile County, Alabama, the positions of Administrative Assistant to the Circuit Solicitor of the Thirteenth Judicial Circuit of Alabama and Legal Stenographer to the Circuit Solicitor of the Thirteenth Judicial Circuit of Alabama; to prescribe their duties; to fix their term of employment and to prescribe their compensation and provide for the payment of their compensation out of the General Fund of Mobile County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Bishop	Callahan	Daniel
Adams	Boyd	Camp	Dickson
Albea	Branyon	Casey	Dodd
Avery	Britton	Chambers	Dunn
Barnett	Broadfoot	Cook	Edwards
Bassett	Brooks	Copeland	Engel
Bevill	Cabiness	Cornett	Faulk

Ferguson	Hawkins	Merrill	Rast
Franklin	Ingram	Morrow	Ray
Gilmer	Jenkins	Murphy	Rogers
Glass	Johnson (Hardaway)	Nettles	Self
Gordon	Johnson (J. T. Tom)	Oakley	Sessions
Grant	Johnston (Leonard)	Oden	Smith (St. Clair)
Gross	Locke	Owens	Solomon
Guthrie	Long (Lauderdale)	Perry	Steagall
Hain	Long (Perry)	Phillips	Sullivan
Hanby	McClendon (Chambers)	Pierce	Taylor
Hankins	McCorquodale	Powell	Torbert
Hardy	Martin	Pruitt	Turner
Harris	Meade	Ramey	Vickers
Harvey			

—81

And the bill:

H. 992. To amend further Section VIII of the act approved September 15, 1939, creating and establishing the Personnel Department of Mobile County (Act No. 470, H. 952, Local Acts 1939, p. 298); to provide for the qualifications, salary and duties of the Personnel Director, to provide for the retirement of the Personnel Director and to prescribe the terms and conditions of such retirement.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 32; Nays 0.

Yeas:

Mr. Speaker	Dickson	Jenkins	Phillips
Adams	Dodd	Johnson (Hardaway)	Pierce
Albea	Dunn	Johnson (J. T. Tom)	Powell
Avery	Edwards	Johnston (Leonard)	Pruitt
Barnett	Engel	Lee	Ramey
Bassett	Faulk	Locke	Rast
Bevill	Ferguson	Long (Lauderdale)	Ray
Bishop	Franklin	Long (Perry)	Roberts
Boyd	Gilmer	McClendon (Chambers)	Rogers
Branyon	Glass	McCorquodale	Self
Brooks	Gordon	Martin	Sessions
Cabiness	Grant	Meade	Smith (St. Clair)
Callahan	Gross	Merrill	Solomon
Camp	Guthrie	Morrow	Steagall
Casey	Hanby	Murphy	Sullivan
Cates	Hankins	Nettles	Taylor
Chambers	Hardy	Oakley	Thomas
Cook	Harris	Oden	Torbert
Copeland	Harvey	Owens	Turner
Cornett	Hawkins	Perry	Vickers
Daniel	Ingram		

—82

And the bill:

H. 993. To amend Section 3 of Act No. 34, H. 225, Special Session

1932, approved September 24, 1932 (Local Acts, Extra Session 1932, p. 13), an act to provide for the election of a county superintendent of education by the qualified electors of Clarke County, in relation to the qualifications of the county superintendent of education.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Dickson	Ingram	Phillips
Adams	Dodd	Jenkins	Pierce
Albea	Dunn	Johnson (Hardaway)	Powell
Avery	Edwards	Johnson (J. T. Tom)	Pruitt
Barnett	Engel	Johnston (Leonard)	Ramey
Bassett	Faulk	Jones (Covington)	Rast
Bevill	Ferguson	Lee	Ray
Bishop	Franklin	Locke	Roberts
Boyd	Gilmer	Long (Perry)	Rogers
Branyon	Glass	McClendon (Chambers)	Salter
Britton	Goodwyn	McCorquodale	Self
Cabiness	Gordon	Martin	Sessions
Callahan	Grant	Meade	Smith (St. Clair)
Camp	Gross	Merrill	Solomon
Casey	Guthrie	Morrow	Steagall
Cates	Hain	Murphy	Sullivan
Chambers	Hanby	Nettles	Taylor
Cook	Hankins	Oakley	Thomas
Copeland	Harris	Oden	Torbert
Cornett	Harvey	Owens	Turner
Daniel	Hawkins	Perry	

—83

And the bill:

H. 994. To repeal Act No. 396, S, 550, approved August 16, 1949, entitled "To provide for the proportion of contribution by counties and incorporated municipalities therein to the budget of a county health department in all counties in this State having a population exceeding 100,000, and not exceeding 140,000 inhabitants, according to the latest Federal Census, or which shall hereafter have such population, according to any such census that may hereafter be taken." (Acts of Alabama 1949, page 567.)

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Bailey	Bishop	Broadfoot
Adams	Barnett	Boyd	Brooks
Albea	Bassett	Branyon	Cabiness
Avery	Bevill	Britton	Callahan

Camp	Gordon	Locke	Ramey
Casey	Grant	Long (Lauderdale)	Rast
Cates	Gross	Long (Perry)	Ray
Chambers	Guthrie	McClendon (Chambers)	Roberts
Cook	Hain	McCorquodale	Rogers
Copeland	Hanby	Martin	Salter
Cornett	Hankins	Meade	Self
Daniel	Hardy	Merrill	Sessions
Dickson	Harris	Morrow	Smith (St. Clair)
Dodd	Harvey	Murphy	Solomon
Dunn	Hawkins	Nettles	Steagall
Edwards	Ingram	Oakley	Sullivan
Engel	Jenkins	Owens	Taylor
Faulk	Johnson (Hardaway)	Perry	Thomas
Franklin	Johnson (J. T. Tom)	Phillips	Torbert
Gilmer	Johnston (Leonard)	Pierce	Turner
Glass	Jones (Covington)	Powell	Vickers
Goodwyn	Lee	Pruitt	

—87

And the bill:

H. 995. To provide for the proportion of contribution by counties and incorporated municipalities therein to the budget of a county health department in all counties in this State having a population exceeding 150,000, and not exceeding 300,000 inhabitants, according to the latest Federal Census, or which shall hereafter have such population, according to any such census that may hereafter be taken.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Cornett	Harris	Owens
Adams	Daniel	Harvey	Perry
Albea	Dickson	Hawkins	Phillips
Avery	Dodd	Ingram	Pierce
Bailey	Dunn	Jenkins	Powell
Barnett	Edwards	Johnson (Hardaway)	Pruitt
Bassett	Engel	Johnson (J. T. Tom)	Ramey
Bevill	Faulk	Johnston (Leonard)	Rast
Bishop	Ferguson	Lee	Ray
Boyd	Franklin	Locke	Roberts
Branyon	Gilmer	Long (Lauderdale)	Rogers
Britton	Glass	Long (Perry)	Self
Broadfoot	Goodwyn	McClendon (Chambers)	Sessions
Brooks	Gordon	McCorquodale	Smith (St. Clair)
Cabiness	Grant	Martin	Solomon
Callahan	Gross	Meade	Steagall
Camp	Grouby	Merrill	Sullivan
Casey	Guthrie	Morrow	Taylor
Cates	Hain	Murphy	Thomas
Chambers	Hanby	Nettles	Torbert
Cook	Hankins	Oakley	Turner
Copeland	Hardy		

—86

And the bill:

H. 996. To alter or rearrange the boundary lines of the Town of Faunsdale, Marengo County, Alabama so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory contiguous thereto, in Marengo County, Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Cornett	Harris	Phillips
Adams	Daniel	Harvey	Pierce
Albea	Dickson	Hawkins	Powell
Avery	Dodd	Ingram	Pruitt
Bailey	Dunn	Jenkins	Ramey
Barnett	Edwards	Johnson (Hardaway)	Rast
Bassett	Engel	Johnson (J. T. Tom)	Ray
Bevill	Faulk	Johnston (Leonard)	Roberts
Bishop	Ferguson	Jones (Covington)	Rogers
Boyd	Franklin	Lee	Salter
Branyon	Gilmer	Locke	Self
Britton	Glass	Long (Perry)	Sessions
Broadfoot	Goodwyn	McClendon (Chambers)	Smith (St. Clair)
Brooks	Gordon	McCorquodale	Solomon
Cabiness	Grant	Martin	Steagall
Callahan	Gross	Meade	Sullivan
Camp	Cuthrie	Merrill	Taylor
Casey	Hain	Morrow	Thomas
Cates	Hanby	Nettles	Torbert
Chambers	Hankins	Oakley	Turner
Cook	Hardy	Perry	Vickers
Copeland			

—85

And the bill:

H. 997. To repeal Act No. 48, H. 62, approved April 8, 1955, entitled, "An Act to apply in all counties having a population of not less than 47,500 nor more than 52,500, according to the last or any subsequent federal decennial census; regulating further the office of county solicitor in such counties; imposing extra, new, and additional duties upon such officer, and providing further for his compensation," (Acts of Alabama 1955, vol. I, p. 158).

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Albea	Bailey	Bassett
Adams	Avery	Barnett	Bevill

Bishop	Faulk	Johnson (Hardaway)	Powell
Boyd	Ferguson	Johnson (J. T. Tom)	Pruitt
Branyon	Franklin	Johnston (Leonard)	Ramey
Britton	Gilmer	Jones (Covington)	Rast
Broadfoot	Glass	Lee	Ray
Brooks	Goodwyn	Locke	Rogers
Cabiness	Gordon	Long (Lauderdale)	Salter
Callahan	Grant	Long (Perry)	Self
Camp	Gross	McClendon (Chambers)	Sessions
Casey	Grouby	McCorquodale	Shumate
Cates	Guthrie	Martin	Smith (St. Clair)
Chambers	Hain	Meade	Solomon
Cook	Hanby	Merrill	Steagall
Copeland	Hankins	Morrow	Sullivan
Daniel	Hardy	Murphy	Taylor
Dickson	Harris	Nettles	Thomas
Dodd	Harvey	Oakley	Torbert
Dunn	Hawkins	Perry	Turner
Edwards	Ingram	Phillips	Vickers
Engel	Jenkins	Pierce	

—87

And the bill:

H. 998. To repeal Act No. 165, H. 30, approved June 29, 1951, entitled, "An Act to provide additional clerks for the tax assessor and the tax collector in all counties having a population of not less than 47,000 nor more than 51,000 according to the most recent federal census, making the Act retroactive" (Acts of Alabama 1951, vol. 1, p. 403).

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 84; Nays 1.

Yeas:

Mr. Speaker	Copeland	Harris	Perry
Adams	Cornett	Harvey	Phillips
Albea	Daniel	Hawkins	Pierce
Avery	Dickson	Ingram	Powell
Bailey	Dodd	Jenkins	Pruitt
Barnett	Dunn	Johnson (Hardaway)	Ramey
Bassett	Edwards	Johnson (J. T. Tom)	Rast
Bevill	Engel	Johnston (Leonard)	Ray
Bishop	Faulk	Lee	Rogers
Boyd	Franklin	Locke	Salter
Branyon	Gilmer	Long (Perry)	Sessions
Britton	Glass	McClendon (Chambers)	Smith (St. Clair)
Broadfoot	Gordon	McCorquodale	Solomon
Brooks	Grant	Martin	Steagall
Cabiness	Gross	Meade	Sullivan
Callahan	Grouby	Merrill	Taylor
Camp	Guthrie	Morrow	Thomas
Casey	Hain	Murphy	Torbert
Cates	Hanby	Nettles	Turner
Chambers	Hankins	Oakley	Turnham
Cook	Hardy	Owens	Vickers

—84

Nay:

Mr. Roberts

—1

And the bill:

H. 999. To repeal Act No. 446, H. 935, approved November 13, 1959, entitled, "An Act to provide for the compensation of the deputies or clerks of the tax assessors and tax collectors of all counties having a population of not less than 47,000 nor more than 51,000, according to the most recent federal decennial census" (Acts of Alabama 1959, vol. II, p. 1140).

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Copeland	Harris	Perry
Adams	Cornett	Harvey	Phillips
Albea	Daniel	Hawkins	Pierce
Avery	Dickson	Ingram	Powell
Bailey	Dodd	Jenkins	Pruitt
Barnett	Dunn	Johnson (Hardaway)	Ramey
Bassett	Edwards	Johnson (J. T. Tom)	Rast
Bevill	Engel	Johnston (Leonard)	Ray
Bishop	Franklin	Lee	Roberts
Boyd	Gilmer	Locke	Rogers
Branyon	Glass	Long (Perry)	Sessions
Britton	Gordon	McClendon (Chambers)	Smith (St. Clair)
Broadfoot	Grant	McCorquodale	Solomon
Brooks	Gross	Martin	Steagall
Cabiness	Grouby	Meade	Sullivan
Callahan	Guthrie	Merrill	Taylor
Camp	Hain	Morrow	Thomas
Casey	Hanby	Murphy	Torbert
Cates	Hankins	Nettles	Turner
Chambers	Hardy	Oakley	Turnham
Cook			

—81

And the bill:

H. 1000. To repeal Act No. 47, H. 61, approved April 8, 1955, entitled, "An Act to apply in all counties having a population of not less than 47,500 nor more than 52,500 inhabitants, according to the last or any subsequent federal decennial census; providing for the appointment of a deputy clerk of the circuit court of such counties; prescribing the duties, powers, and authority of such deputy, fixing his compensation and designating the method of payment and the fund from which such compensation shall be paid" (Acts of Alabama 1955, vol. I, p. 157).

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Daniel	Hawkins	Phillips
Adams	Dickson	Ingram	Pierce
Albea	Dodd	Jenkins	Powell
Avery	Dunn	Johnson (Hardaway)	Pruitt
Bailey	Edwards	Johnson (J. T. Tom)	Ramey
Barnett	Engel	Johnston (Leonard)	Rast
Bassett	Ferguson	Lee	Ray
Bishop	Franklin	Locke	Roberts
Boyd	Gilmer	Long (Perry)	Rogers
Branyon	Glass	McClendon (Chambers)	Self
Britton	Goodwyn	McCorquodale	Sessions
Brooks	Gordon	Martin	Smith (St. Clair)
Cabiness	Grant	Meade	Solomon
Callahan	Gross	Merrill	Steagall
Camp	Grouby	Morrow	Sullivan
Casey	Guthrie	Murphy	Taylor
Cates	Hain	Nettles	Thomas
Chambers	Hanby	Oakley	Torbert
Cook	Hardy	Owens	Turner
Copeland	Harris	Perry	Turnham
Cornett	Harvey		

And the bill:

—82

H. 1002. For the relief of John Morris, Huntsville, of Madison County; authorizing the board of county commissioners, board of revenue, or other like governing body of Madison County to make an appropriation of county funds to compensate John Morris for certain damages.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Cornett	Hardy	Owens
Adams	Daniel	Harris	Perry
Albea	Dickson	Harvey	Phillips
Avery	Dodd	Hawkins	Pierce
Bailey	Dunn	Ingram	Powell
Barnett	Edwards	Jenkins	Pruitt
Bassett	Engel	Johnson (Hardaway)	Ramey
Bevill	Faulk	Johnson (J. T. Tom)	Rast
Bishop	Ferguson	Johnston (Leonard)	Ray
Boyd	Franklin	Lee	Roberts
Branyon	Gilmer	Locke	Rogers
Britton	Glass	Long (Perry)	Self
Broadfoot	Goodwyn	McClendon (Chambers)	Sessions
Brooks	Gordon	McCorquodale	Shumate
Cabiness	Grant	Martin	Smith (St. Clair)
Callahan	Gross	Meade	Solomon
Camp	Grouby	Merrill	Steagall
Casey	Guthrie	Morrow	Sullivan
Cates	Hain	Murphy	Taylor
Chambers	Hanby	Nettles	Thomas
Cook	Hankins	Oakley	Turner
Copeland			

—85

And the bill:

H. 1003. To amend Act No. 401, H. 838, Regular Session 1949, an act authorizing the board of registrars of Madison County to employ a full time clerk (Acts of Alabama Regular Session 1949, p. 573).

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Daniel	Harris	Owens
Adams	Dickson	Harvey	Perry
Albea	Dodd	Hawkins	Phillips
Avery	Dunn	Ingram	Pierce
Bailey	Edwards	Jenkins	Powell
Barnett	Engel	Johnson (Hardaway)	Pruitt
Bassett	Faulk	Johnson (J. T. Tom)	Ramey
Bevill	Ferguson	Johnston (Leonard)	Rast
Bishop	Franklin	Lee	Ray
Boyd	Gilmer	Locke	Roberts
Branyon	Glass	Long (Perry)	Rogers
Britton	Goodwyn	McClendon (Chambers)	Self
Broadfoot	Gordon	McCorquodale	Sessions
Cabiness	Grant	Martin	Shumate
Callahan	Gross	Meade	Smith (St. Clair)
Camp	Grouby	Merrill	Steagall
Casey	Guthrie	Morrow	Sullivan
Cates	Hain	Murphy	Taylor
Chambers	Hanby	Nettles	Thomas
Cook	Hardy	Oakley	Turner
Copeland			

—81

And the bill:

H. 1004. For the relief of J. Wheeler Vann, Rt. 4, Huntsville, of Madison County; authorizing the board of county commissioners, board of revenue, or other like governing body of Madison County to make an appropriation of county funds to compensate J. Wheeler Vann for certain damages.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Bassett	Britton	Camp
Albea	Bevill	Broadfoot	Casey
Avery	Bishop	Brooks	Cates
Bailey	Boyd	Cabiness	Chambers
Barnett	Branyon	Callahan	Copeland

Cornett	Guthrie	Long (Perry)	Pruitt
Daniel	Hain	McClendon (Chambers)	Ramey
Dickson	Hanby	McCorquodale	Rast
Dodd	Hankins	Martin	Ray
Dunn	Hardy	Meade	Roberts
Edwards	Harris	Merrill	Rogers
Engel	Harvey	Morrow	Self
Faulk	Hawkins	Murphy	Sessions
Ferguson	Ingram	Nettles	Shumate
Franklin	Jenkins	Oakley	Smith (St. Clair)
Gilmer	Johnson (Hardaway)	Owens	Steagall
Glass	Johnson (J. T. Tom)	Perry	Sullivan
Goodwyn	Johnston (Leonard)	Phillips	Taylor
Gordon	Lee	Pierce	Thomas
Grant	Locke	Powell	Turner
Gross			

—81

And the bill:

H. 1005. For the relief of Robert Mathias, 2000 Stamford Drive, Huntsville, of Madison County; authorizing the board of county commissioners, board of revenue, or other like governing body of Madison County to make an appropriation of county funds to compensate Robert Mathias for certain damages.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Cornett	Harris	Owens
Adams	Daniel	Harvey	Perry
Albea	Dickson	Hawkins	Phillips
Avery	Dodd	Ingram	Pierce
Bailey	Dunn	Jenkins	Powell
Barnett	Edwards	Johnson (Hardaway)	Pruitt
Bassett	Engel	Johnson (J. T. Tom)	Ramey
Bevill	Faulk	Johnston (Leonard)	Rast
Bishop	Ferguson	Jones (Covington)	Ray
Boyd	Franklin	Locke	Roberts
Branyon	Gilmer	Long (Lauderdale)	Rogers
Britton	Glass	Long (Perry)	Self
Broadfoot	Goodwyn	McClendon (Chambers)	Sessions
Brooks	Gordon	McCorquodale	Shumate
Cabiness	Grant	Martin	Smith (St. Clair)
Callahan	Gross	Meade	Steagall
Camp	Grouby	Merrill	Sullivan
Casey	Guthrie	Morrow	Taylor
Cates	Hain	Murphy	Thomas
Chambers	Hanby	Nettles	Torbert
Cook	Hankins	Oakley	Turner
Copeland	Hardy		

—86

And the bill:

H. 1006. For the relief of Donnie C. Watts, Box 55, Blanche, Tennessee; authorizing the board of county commissioners, board of revenue, or other like governing body of Madison County to make an appropriation of county funds to compensate Donnie C. Watts for certain damages.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Cornett	Harris	Owens
Adams	Daniel	Harvey	Perry
Albea	Dickson	Hawkins	Phillips
Avery	Dodd	Ingram	Pierce
Bailey	Dunn	Jenkins	Powell
Barnett	Edwards	Johnson (Hardaway)	Pruitt
Bassett	Engel	Johnson (J. T. Tom)	Ramey
Bevill	Faulk	Johnson (Leonard)	Rast
Bishop	Ferguson	Jones (Covington)	Ray
Boyd	Franklin	Locke	Roberts
Branyon	Gilmer	Long (Lauderdale)	Rogers
Britton	Glass	Long (Perry)	Self
Broadfoot	Goodwyn	McClendon (Chambers)	Sessions
Brooks	Gordon	McCorquodale	Shumate
Cabiness	Grant	Martin	Smith (St. Clair)
Callahan	Gross	Meade	Steagall
Camp	Grouby	Merrill	Sullivan
Casey	Guthrie	Morrow	Taylor
Cates	Hain	Murphy	Thomas
Chambers	Hanby	Nettles	Torbert
Cook	Hankins	Oakley	Turner
Copeland	Hardy		

—86

And the bill:

H. 1007. Relating to Madison County; authorizing the county governing body to offer rewards for information leading to the arrest and conviction of any person, firm or corporation violating any law prohibiting the dumping of garbage, litter or trash.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Branyon	Cates	Dodd
Adams	Britton	Chambers	Dunn
Bailey	Broadfoot	Cook	Edwards
Barnett	Brooks	Copeland	Engel
Bevill	Cabiness	Cornett	Faulk
Bishop	Callahan	Daniel	Ferguson
Boyd	Camp	Dickson	Franklin

Gilmer	Harvey	Nettles	Roberts
Glass	Hawkins	Oakley	Rogers
Goodwyn	Johnson (Hardaway)	Owens	Sessions
Gordon	Johnson (J. T. Tom)	Perry	Shumate
Grant	Locke	Phillips	Smith (St. Clair)
Gross	Long (Lauderdale)	Pierce	Solomon
Grouby	Long (Perry)	Powell	Steagall
Guthrie	McClendon (Chambers)	Pruitt	Sullivan
Hain	McCorquodale	Ramey	Taylor
Hankins	Martin	Rast	Thomas
Hardy	Meade	Ray	Torbert
Harris	Morrow	Reynolds (Chambers)	Turner

—76

And the bill:

H. 1009. To permit banks now or hereafter having a combined paid-in capital and paid-in or earned surplus of more than one million dollars and situated in counties having populations according to the 1960 or any subsequent decennial census of the United States of not less than 100,000 inhabitants nor more than 160,000 inhabitants, to establish, maintain, or operate new branches or branch banks, branch offices, branch agencies, additional offices or branch places of business within the limits of such county in which said bank is situated, for the receipt of deposits, payment of checks, lending of money, and the conduct of a general banking and trust business, by and with the written consent of the State Superintendent of Banks.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Daniel	Hardy	Powell
Adams	Dickson	Harris	Pruitt
Albea	Dodd	Harvey	Ramey
Bailey	Dunn	Hawkins	Rast
Barnett	Edwards	Johnson (Hardaway)	Ray
Bassett	Engel	Johnson (J. T. Tom)	Roberts
Bishop	Faulk	Johnston (Leonard)	Rogers
Boyd	Ferguson	Long (Perry)	Self
Branyon	Franklin	McClendon (Chambers)	Sessions
Britton	Gilmer	McCorquodale	Shumate
Broadfoot	Glass	Martin	Smith (St. Clair)
Brooks	Gordon	Meade	Solomon
Cabiness	Grant	Merrill	Steagall
Callahan	Gross	Nettles	Sullivan
Camp	Grouby	Oakley	Thomas
Cates	Guthrie	Owens	Torbert
Chambers	Hain	Perry	Turner
Cook	Hanby	Phillips	Turnham
Copeland	Hankins	Pierce	

—75

And the bill:

H. 1010. To provide for the payment of an expense allowance to members of the board of revenue, court of county commissioners, or other like governing body, other than the chairman or president thereof, of any county in the State having a population of not less than 100,000 nor more than 115,000 inhabitants, according to the 1960 or any subsequent federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Daniel	Hardy	Phillips
Adams	Dickson	Harris	Pierce
Albea	Dodd	Harvey	Powell
Bailey	Dunn	Hawkins	Pruitt
Barnett	Edwards	Johnson (Hardaway)	Ramey
Bassett	Engel	Johnston (Leonard)	Rast
Bishop	Faulk	Locke	Ray
Boyd	Ferguson	Long (Lauderdale)	Roberts
Branyon	Franklin	Long (Perry)	Rogers
Britton	Gilmer	McClendon (Chambers)	Self
Broadfoot	Glass	McCorquodale	Sessions
Brooks	Gordon	Martin	Shumate
Cabiness	Grant	Meade	Solomon
Callahan	Gross	Merrill	Steagall
Camp	Grouby	Morrow	Sullivan
Cates	Guthrie	Nettles	Thomas
Chambers	Hain	Oakley	Torbert
Cook	Hanby	Owens	Turner
Copeland	Hankins	Perry	Turnham

—76

And the bill:

H. 1011. To repeal Act No. 713, H. 1145, approved September 20, 1957, entitled "An Act To provide for the payment of an expense allowance to members of the board of revenue, court of county commissioners, or other like governing body, other than the chairman or president thereof, of any county in the State having a population of not less than 94,000 nor more than 134,000 inhabitants, according to the last or any subsequent federal decennial census" (Acts of Alabama 1957, vol. II, p. 1109).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Bassett	Brooks	Cates
Adams	Bishop	Cabiness	Chambers
Albea	Boyd	Callahan	Cook
Bailey	Branyon	Camp	Copeland
Barnett	Britton	Casey	Daniel

Dickson	Hain	Martin	Ray
Dodd	Hanby	Meade	Roberts
Dunn	Hankins	Merrill	Rogers
Edwards	Hardy	Morrow	Self
Engel	Harris	Nettles	Sessions
Faulk	Harvey	Oakley	Shumate
Ferguson	Hawkins	Owens	Smith (St. Clair)
Franklin	Johnson (Hardaway)	Perry	Steagall
Gilmer	Johnson (J. T. Tom)	Phillips	Sullivan
Glass	Johnston (Leonard)	Pierce	Taylor
Gordon	Jones (Covington)	Powell	Thomas
Grant	Locke	Pruitt	Torbert
Gross	Long (Perry)	Ramey	Turner
Grouby	McClendon (Chambers)	Rast	Turnham
Guthrie	McCorquodale		

—78

And the bill:

H. 1012. To repeal Act No. 683, H. 1086, approved September 20, 1957, entitled "An Act Relating to counties having a population of not less than 94,000 nor more than 135,000, according to the last or any subsequent federal decennial census; providing further for extending the corporate limits and boundaries of incorporated municipalities in such counties" (Acts of Alabama 1957, vol. II, p. 1030).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Daniel	Harris	Phillips
Adams	Dickson	Harvey	Pierce
Albee	Dodd	Hawkins	Powell
Bailey	Dunn	Johnson (Hardaway)	Pruitt
Barnett	Edwards	Johnson (J. T. Tom)	Ramey
Bassett	Engel	Johnston (Leonard)	Rast
Bishop	Faulk	Jones (Covington)	Ray
Boyd	Ferguson	Locke	Roberts
Branyon	Franklin	Long (Perry)	Rogers
Britton	Gilmer	McClendon (Chambers)	Salter
Broadfoot	Glass	McCorquodale	Self
Brooks	Gordon	Martin	Sessions
Cabiness	Grant	Meade	Shumate
Callahan	Gross	Merrill	Solomon
Camp	Grouby	Morrow	Steagall
Casey	Guthrie	Nettles	Sullivan
Cates	Hain	Oakley	Thomas
Chambers	Hanby	Oden	Torbert
Cook	Hankins	Owens	Turner
Copeland	Hardy	Perry	Turnham

—80

And the bill:

H. 1013. Relating to counties having populations of not less than

100,000 nor more than 115,000, according to the 1960 or any subsequent federal decennial census; providing further for extending the corporate limits and boundaries of incorporated municipalities in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Dickson	Hawkins	Powell
Adams	Dodd	Johnson (Hardaway)	Pruitt
Albea	Dunn	Johnson (J. T. Tom)	Ramey
Bailey	Edwards	Johnston (Leonard)	Rast
Barnett	Engel	Jones (Covington)	Ray
Bassett	Faulk	Locke	Reynolds (Chambers)
Bishop	Ferguson	Long (Perry)	Roberts
Boyd	Franklin	McClendon (Chambers)	Rogers
Branyon	Gilmer	McCorquodale	Salter
Britton	Glass	Martin	Self
Broadfoot	Gordon	Meade	Sessions
Brooks	Grant	Merrill	Shumate
Cabiness	Gross	Morrow	Solomon
Callahan	Grouby	Nettles	Steagall
Camp	Guthrie	Oakley	Sullivan
Casey	Hain	Oden	Taylor
Cates	Hanby	Owens	Thomas
Chambers	Hankins	Perry	Torbert
Cook	Hardy	Phillips	Turner
Copeland	Harris	Pierce	Turnham
Daniel	Harvey		

—82

And the bill:

H. 1014. To repeal Act No. 21, H. 27, approved March 23, 1955, entitled "An Act To permit banks now or hereafter having a combined paid-in capital and paid-in or earned surplus of more than One Million Dollars and situated in Counties having a population according to the 1950 or any subsequent decennial census of the United States of not less than 94,000 inhabitants nor more than 135,000 inhabitants, to establish, maintain, or operate new branches or branch banks, branch offices, branch agencies, additional offices or branch places of business within the limits of such County in which said bank is situated, for the receipt of deposits, payment of checks, lending of money, and the conduct of a general banking and trust business, by and with the written consent of the State Superintendent of Banks" (Acts of Alabama 1955, vol. I, p. 130).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Albea	Barnett	Bishop
Adams	Bailey	Bassett	Boyd

Branyon	Ferguson	Johnston (Leonard)	Ramey
Britton	Franklin	Locke	Rast
Broadfoot	Gilmer	Long (Lauderdale)	Ray
Brooks	Glass	Long (Perry)	Reynolds (Chambers)
Cabiness	Gordon	McClendon (Chambers)	Roberts
Callahan	Grant	McCorquodale	Rogers
Camp	Gross	Martin	Self
Casey	Grouby	Meade	Sessions
Cates	Guthrie	Merrill	Shumate
Chambers	Hain	Morrow	Smith (St. Clair)
Cook	Hanby	Nettles	Solomon
Copeland	Hankins	Oakley	Steagall
Daniel	Hardy	Oden	Sullivan
Dickson	Harris	Owens	Taylor
Dodd	Harvey	Perry	Thomas
Dunn	Hawkins	Pierce	Torbert
Edwards	Johnson (Hardaway)	Powell	Turner
Engel	Johnson (J. T. Tom)	Pruitt	Turnham
Faulk			

—81

And the bill:

H. 1022. To alter, rearrange, and add to the limits of the City of Attalla, Alabama, and to alter and rearrange the limits of the City of Gadsden, Alabama, by removing certain area from the limits of the City of Gadsden, Alabama, and adding same to the limits of the City of Attalla, Alabama, and to describe the area so removed from the City of Gadsden, Alabama, and so added to the City of Attalla, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Daniel	Harvey	Powell
Adams	Dickson	Hawkins	Pruitt
Albea	Dodd	Hearn	Ramey
Bailey	Dunn	Johnson (Hardaway)	Rast
Barnett	Edwards	Johnson (J. T. Tom)	Ray
Bassett	Engel	Johnston (Leonard)	Roberts
Bevill	Faulk	Locke	Rogers
Bishop	Ferguson	Long (Perry)	Self
Boyd	Franklin	McClendon (Chambers)	Sessions
Branyon	Gilmer	McCorquodale	Shumate
Britton	Glass	Martin	Smith (St. Clair)
Broadfoot	Gordon	Merrill	Solomon
Brooks	Grant	Morrow	Steagall
Callahan	Grouby	Nettles	Sullivan
Camp	Guthrie	Oakley	Taylor
Casey	Hain	Oden	Thomas
Cates	Hanby	Owens	Torbert
Chambers	Hankins	Perry	Turner
Cook	Hardy	Phillips	Turnham
Copeland	Harris	Pierce	

—79

And the bill:

H. 1025. To provide that in each county of the State of Alabama having not less than 150,000 nor more than 300,000 population according to the last or any subsequent federal census in equity suits the depositions of witnesses or parties upon oral examination for discovery or for use as evidence may be taken as provided in Act No. 375 of the Legislature of Alabama of 1955, approved September 8, 1955 (Acts of Alabama of 1955, page 901 et seq.); to provide that in each such county in equity suits the scope of the examination, the use of such depositions, the effect of using such depositions, the method of compelling the attendance of the person sought to be examined and the penalties for the failure of such person to appear for such examination, shall be the same as provided for by said Act No. 375 of the Legislature of Alabama of 1955; to provide that the provisions of this Act shall apply to future suits and pending suits in any such county and also to depositions heretofore taken in pending suits, provided the party or parties taking such depositions in taking the same proceeded under said Act No. 375 of the Legislature of Alabama of 1955; and to provide that the provisions of any law or rule of court in conflict with the provisions of this Act shall be repealed to the extent of such conflict.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Dickson	Hawkins	Pierce
Adams	Dodd	Hearn	Powell
Albea	Dunn	Johnson (Hardaway)	Pruitt
Bailey	Edwards	Johnson (J. T. Tom)	Ramey
Barnett	Engel	Johnston (Leonard)	Rast
Bassett	Faulk	Jones (Covington)	Ray
Bevill	Ferguson	Locke	Roberts
Bishop	Franklin	Long (Lauderdale)	Rogers
Boyd	Gilmer	Long (Perry)	Salter
Branyon	Glass	McClendon (Chambers)	Self
Britton	Gordon	McCorquodale	Sessions
Brooks	Grant	Martin	Shumate
Callahan	Gross	Meade	Smith (St. Clair)
Camp	Grouby	Merrill	Solomon
Casey	Guthrie	Morrow	Steagall
Cates	Hain	Nettles	Sullivan
Chambers	Hanby	Oakley	Taylor
Cook	Hankins	Oden	Torbert
Copeland	Hardy	Perry	Turner
Cornett	Harris	Phillips	Turnham
Daniel			

—81

And the bill:

H. 1027. To amend further Section 11 of Title 19, Code of Alabama (1940), which relates to the appointment of commissioners in condemnation proceedings; requiring the judge of probate to appoint the members of the county board of equalization to serve as commissioners in any condemnation proceeding where the county is a party to such proceeding, in all counties

having populations of not less than 63,750 nor more than 72,750, and in all counties having populations of not less than 39,550 nor more than 40,350 inhabitants, according to the 1960 or any subsequent federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Daniel	Hawkins	Powell
Adams	Dickson	Hearn	Pruitt
Albea	Dodd	Johnson (Hardaway)	Ramey
Bailey	Dunn	Johnson (J. T. Tom)	Rast
Barnett	Edwards	Jones (Covington)	Ray
Bassett	Engel	Locke	Roberts
Bevill	Ferguson	Long (Perry)	Rogers
Bishop	Franklin	McClendon (Chambers)	Salter
Boyd	Gilmer	McCorquodale	Self
Branyon	Glass	Martin	Sessions
Britton	Gordon	Meade	Shumate
Brooks	Grant	Merrill	Smith (St. Clair)
Cabiness	Gross	Morrow	Solomon
Callahan	Grouby	Nettles	Steagall
Camp	Guthrie	Oakley	Sullivan
Casey	Hain	Oden	Taylor
Cates	Hanby	Perry	Torbert
Cook	Hankins	Phillips	Turner
Copeland	Hardy	Pierce	Turnham
Cornett	Harris		

—78

And the bill:

H. 1029. To repeal Act No. 37, H. 32, approved February 19, 1959, entitled, "An Act relating to counties which have a population of not less than 49,500 nor more than 54,000 inhabitants, according to the last or any subsequent federal decennial census, and which have a county or inferior court on which has been conferred jurisdiction concurrent with the circuit in equity and civil matters; providing for the compensation of the court reporter of the county court of such counties" (Acts of Alabama 1959, vol. I, p. 75).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Bassett	Britton	Camp
Adams	Bevill	Broadfoot	Casey
Albea	Bishop	Brooks	Cates
Bailey	Boyd	Cabiness	Chambers
Barnett	Branyon	Callahan	Cook

Copeland	Grouby	McCorquodale	Ray
Cornett	Hain	Martin	Roberts
Daniel	Hanby	Meade	Rogers
Dickson	Hankins	Merrill	Salter
Dodd	Hardy	Morrow	Self
Dunn	Harris	Nettles	Shumate
Edwards	Hawkins	Oakley	Smith (St. Clair)
Engel	Hearn	Owens	Solomon
Faulk	Johnson (Hardaway)	Perry	Steagall
Ferguson	Johnson (J. T. Tom)	Phillips	Sullivan
Franklin	Jones (Covington)	Pierce	Taylor
Gilmer	Lee	Powell	Thomas
Glass	Locke	Pruitt	Torbert
Gordon	Long (Perry)	Ramey	Turner
Grant	McClendon (Chambers)	Rast	Turnham
Gross			

—81

And the bill:

H. 1030. To repeal Act No. 446, H. 935, approved November 13, 1959, entitled, "An Act to provide for the compensation of the deputies or clerks of the tax assessors and tax collectors of all counties having a population of not less than 47,000 nor more than 51,000, according to the most recent federal decennial census" (Acts of Alabama 1959, vol. II, p. 1140).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Daniel	Hearn	Powell
Adams	Dickson	Johnson (Hardaway)	Pruitt
Albee	Dodd	Johnson (J. T. Tom)	Ramey
Bailey	Dunn	Jones (Covington)	Rast
Barnett	Edwards	Lee	Ray
Bassett	Engel	Locke	Reynolds (Chambers)
Bevill	Faulk	Long (Lauderdale)	Roberts
Bishop	Ferguson	Long (Perry)	Rogers
Boyd	Franklin	McClendon (Chambers)	Salter
Branyon	Gilmer	McCorquodale	Self
Britton	Glass	Martin	Sessions
Broadfoot	Goodwyn	Meade	Shumate
Brooks	Gordon	Merrill	Smith (St. Clair)
Cabiness	Grant	Morrow	Solomon
Callahan	Gross	Nettles	Steagall
Camp	Grouby	Oakley	Sullivan
Casey	Hain	Oden	Taylor
Cates	Hanby	Owens	Thomas
Chambers	Hankins	Perry	Torbert
Cook	Hardy	Phillips	Turner
Copeland	Harris	Pierce	Turnham
Cornett	Hawkins		

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And the bill:

H. 510. For the relief of Luther C. Gilbert, granting him a release of any state claim to the mineral in certain lands situated in Tuscaloosa County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Cornett	Harris	Pierce
Adams	Daniel	Hawkins	Powell
Albea	Dickson	Hearn	Pruitt
Bailey	Dodd	Johnson (Hardaway)	Ramey
Barnett	Dunn	Johnson (J. T. Tom)	Rast
Bassett	Edwards	Johnston (Leonard)	Ray
Bevill	Engel	Jones (Covington)	Roberts
Bishop	Faulk	Locke	Rogers
Boyd	Ferguson	Long (Lauderdale)	Salter
Branyon	Franklin	Long (Perry)	Self
Britton	Gilmer	McCorquodale	Sessions
Broadfoot	Glass	Martin	Shumate
Brooks	Goodwyn	Meade	Smith (St. Clair)
Cabiness	Gordon	Merrill	Solomon
Callahan	Grant	Morrow	Steagall
Camp	Gross	Nettles	Sullivan
Casey	Grouby	Oakley	Taylor
Cates	Hain	Oden	Torbert
Chambers	Hanby	Owens	Turner
Cook	Hankins	Perry	Turnham
Copeland	Hardy	Phillips	Vickers

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 169. To provide for assistance to the Supreme Court of Alabama in the preparation of questionnaires furnished boards of registrars.

J. E. SPEIGHT,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 70. Relative to reaffirming confidence in the leadership and ability of Dr. Frank A. Rose and the administrative staff of the University of Alabama and the Board of Trustees of the University of Alabama.

And finds same correctly enrolled.

VIRGIS M. ASHWORTH,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Pierce to suspend the rules in order to introduce a resolution out of order was adopted.

RESOLUTION

The following resolution was introduced:

By Mr. Pierce:

H. J. R. 71. RESOLVED BY THE HOUSE, THE SENATE CONCURRING, That the bill, H. B. 169, which has passed both houses be designated and known as "The Pierce, Bailey, Goldthwaite, Goodwyn and Andrews Bill."

On motion of Mr. Pierce the rules were suspended and H. J. R. 71 was adopted.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Johnson (J. T. Tom) to suspend the rules in order to introduce bills out of order was adopted.

INTRODUCTION OF BILLS

The following bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Johnson (J. T. Tom) and Vickers (with notice and proof):

H. 1152. To direct and require the commissioner of revenue and the state department of revenue to collect any sales and use taxes now or hereafter levied in the Town of Camp Hill, Tallapoosa County, Alabama, and its police jurisdiction under the provisions of any ordinance or resolution duly promulgated and adopted by the governing body of said town; to prescribe the powers, duties and authority of the commissioner of revenue, the state department of revenue, and the comptroller with respect to the method of procedure for collecting such taxes and remitting the proceeds thereof.

Local Legislation No. 1.

Notice and Proof H. 1152:

LEGAL NOTICE

STATE OF ALABAMA
TALLAPOOSA COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To direct and require the commissioner of revenue and the state department of revenue to collect any sales and use taxes now or hereafter levied in the Town of Camp Hill, Tallapoosa County, Alabama, and its police jurisdiction under the provisions of any ordinance or resolution duly promulgated and adopted by the governing body of said towns; to prescribe the powers, duties and authority of the commissioner of revenue, the state department of revenue, and the comptroller with respect to the method of procedure for collecting such taxes and remitting the proceeds thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. The department of revenue is hereby authorized, directed, and required to collect any sales and use taxes which may be levied in Camp Hill, Tallapoosa County, Alabama and its police jurisdiction under the provisions of any municipal ordinance or resolution with a levy identical to the state levy except for rate of tax, subject to all definitions, exceptions, exemptions, proceedings, requirements rules, regulations, provisions, penalties, fines, punishments, and deductions as are applicable to the state sales and use tax levied under Act No. 100, H. 94, approved August 18, 1959, and Articles 11 of Chapter 20, Title 51, Code of Alabama Recompiled 1958, and all acts now or hereafter amendatory thereof or supplementary thereto, except where inapplicable or where herein otherwise provided, including the provisions for the enforcement and collection of taxes when said ordinance or resolution is duly promulgated and adopted by the governing body of Camp Hill, Tallapoosa County, Alabama, and when a certified copy of said ordinance or resolution has been filed with the department of revenue. Provided, that such taxes shall not be collected from or levied upon the State of Alabama or the Alabama Alcoholic Beverage Control Board or ABC liquor stores. Such municipal sales and use taxes shall be collected by the department at the same time and along with the collection by the department of taxes levied and collected for the State of Alabama under the provisions of Act No. 100, H. 94, approved August 18, 1959, and Article 11, of Chapter 20, Title 51, Code of Alabama Recompiled 1958, as amended, and all reports required to be made to the commissioner of revenue hereunder shall, on request to the department of revenue, be made available for inspection by the governing body of Camp Hill, Tallapoosa County, or its designated agent, at reasonable times during business hours. The department of revenue shall prepare and distribute such reports, forms and other information as may be necessary for the collection of such municipal sales and use taxes, and shall have all the authority and duties hereunder as it has in connection with the collection of the State's sales and use taxes provided for by Act No. 100, H. 94, approved August 18, 1959, and Article 11 of Chapter 20, Title 51, Code of Alabama Recompiled 1958, as amended. It shall be the duty of the commissioner of revenue to pay into the state treasury all such taxes collected for Camp Hill, Tallapoosa County, Alabama under this Act; and or before the first day of the following month, the commissioner shall certify to the comptroller the amount of special taxes levied and collected under the provisions of this Act for the use and benefit of Camp Hill, Tallapoosa County, Alabama, during the cal-

endar month immediately preceding the making of such certificate. Whereupon it shall be the duty of comptroller to issue his warrant on the state treasurer for the amount, less expenses, so certified by the commissioner of revenue having been collected for the use of Camp Hill, Tallapoosa County, Alabama and paid into the state treasury; and the amount so certified by the commissioner of revenue as having been collected for the use of such town (less expenses) shall be paid to the treasurer or other custodian of funds of Camp Hill, Tallapoosa County, Alabama. The department of revenue shall charge Camp Hill, Tallapoosa County, Alabama, for collecting such municipal sales and use taxes the cost of making such collections provided, however, that such charge shall not exceed two percent of the amount collected. The comptroller shall each month draw his warrant on the funds collected hereunder payable to the department of revenue for the amount of such charges. The department of revenue shall have full authority to employ such special counsel as it deems necessary from time to time to enforce collection of such municipal sales and use taxes, and otherwise to enforce the provisions of the ordinance or resolution levying such taxes, including any litigation required, and the department of revenue shall pay such special counsel such fees as it deems necessary and proper from the proceeds of the taxes payable to Camp Hill, Tallapoosa County, Alabama under the provisions of this Act.

Section 2. Any municipal ordinance or resolution levying a tax required to be collected hereunder, any amendment, or addition, or other change in such ordinance or resolution shall be effective on the first day of the month next following the expiration of thirty days from the date of the adoption of such municipal ordinance or resolution, provided, however, the department of revenue shall not be required to make any collection of taxes or otherwise perform the duties provided herein until and unless a certified copy of such ordinance or resolution, or amendment thereto, is filed with the department of revenue not less than thirty days prior to the effective date of said ordinance, resolution, or amendment thereto.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

I, H. Clay Pless, Publisher of The Dadeville Record, published weekly at Dadeville, Alabama, do solemnly swear that a copy of the notice, as per clipping attached, was published Four times in the regular and entire issue of said newspaper and not in any supplement thereof, for Four consecutive weeks, commencing with the issue dated 6-22, 1961, and ending with the issue dated 7-13, 1961, without cost to the State of Alabama.

(Signature) H. CLAY PLESS.

Subscribed and sworn before me this 18th day of July, 1961.

SHIRLEY PRICE DAVIS,
Notary Public.

By Mr. Johnson (J. T. Tom):

H. 1153. Providing for the custodianship by the State of Alabama of certain cemeteries or graveyards; and further providing for the utilization of convicts by the commissioner of corrections or the director of the state highway department to work upon, clean, restore and maintain such cemeteries or graveyards.

Ways and Means.

By Messrs. Johnson (J. T. Tom), Reynolds (Chambers) and McClendon (Chambers):

H. 1154. To amend Section 34 of Title 11, Code of Alabama 1940, relating to the fees of sheriffs.

Ways and Means.

By Messrs. Johnson (J. T. Tom), McClendon (Chambers) and Reynolds (Chambers):

H. 1155. To amend Section 92 of Title 11, Code of Alabama 1940, relating to the fees of constables.

Ways and Means.

By Messrs. Johnson (J. T. Tom), Reynolds (Chambers) and McClendon (Chambers):

H. 1156. To amend Section 38 of Title 11, Code of Alabama 1940, relating to fees of justices of the peace.

Ways and Means.

By Messrs. Johnson (J. T. Tom), Reynolds (Chambers) and McClendon (Chambers):

H. 1157. To amend Section 415 of Title 13, Code of Alabama 1940, relating to the fees of witnesses.

Ways and Means.

By Messrs. Johnson (J. T. Tom), Reynolds (Chambers) and McClendon (Chambers):

H. 1158. To amend Section 112 of Title 11, Code of Alabama 1940, relating to fees of witnesses.

Ways and Means.

By Messrs. Johnson (J. T. Tom), Reynolds (Chambers) and McClendon (Chambers):

H. 1159. To amend Section 96 of Title 11, Code of Alabama 1940, relating to the fees of justices of the peace.

Ways and Means.

By Messrs. Johnson (J. T. Tom), Reynolds (Chambers) and McClendon (Chambers):

H. 1160. To amend Section 39 of Title 11, Code of Alabama 1940, relating to fees of constables.

Ways and Means.

MOTION TO SUSPEND RULES LOST

The motion of Mr. Callahan to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 235, was lost.

Yeas 39; Nays 16.

Yeas:

Mr. Speaker	Grouby	Murphy	Sessions
Bevill	Hain	Oden	Shumate
Callahan	Hanby	Perry	Solomon
Cates	Hawkins	Phillips	Speaks
Chambers	Hearn	Pruitt	Steagall
Engel	Jenkins	Ramey	Sullivan
Ferguson	Johnson (<i>Hardaway</i>)	Rast	Taylor
Franklin	Johnston (<i>Leonard</i>)	Ray	Turnham
Glass	McCorquodale	Roberts	Vickers
Goodwyn	Merrill	Rogers	

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Nays:

Messrs.	Cook	Dunn	Jones (<i>Covington</i>)
Bailey	Copeland	Grant	Pierce
Bassett	Cornett	Guthrie	Salter
Cabiness	Daniel	Hankins	Self
Camp			

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CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bill and House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hours named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 10:55 A.M. on July 21, 1961

H. 246

H. J. R. 65

H. J. R. 68

H. J. R. 69

Delivered to the Governor at 1:45 P.M. on July 21, 1961

H. J. R. 70

OAKLEY MELTON, JR.,
Clerk.

ADJOURNMENT

Mr. Grouby moved that the House adjourn until Tuesday, July 25, 1961, at eleven o'clock, A. M.

Mr. Bishop offered a substitute motion that the House adjourn until Tuesday, July 25, 1961, at twelve o'clock, noon; and the motion of Mr. Grouby to lay on the table the substitute motion of Mr. Bishop was lost.

Yeas 23; Nays 52.

Yeas:

Mr. Speaker	Chambers	Guthrie	Solomon
Bassett	Cook	Hanby	Speaks
Boyd	Dunn	Ingram	Thomas
Britton	Faulk	Lee	Turnham
Casey	Goodwyn	Merrill	Vickers
Cates	Grouby	Smith (St. Clair)	

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Nays:

Messrs.	Dodd	Johnson (Hardaway)	Pierce
Albea	Edwards	Johnson (J. T. Tom)	Ramey
Avery	Engel	Johnston (Leonard)	Rast
Barnett	Ferguson	Jones (Savington)	Ray
Bevill	Franklin	Long (Lauderdale)	Reynolds (Chambers)
Bishop	Glass	Long (Perry)	Roberts
Branyon	Grant	McClendon (Chambers)	Rogers
Broadfoot	Gross	Martin	Sessions
Brooks	Hain	Meade	Shumate
Cabiness	Hankins	Nettles	Steagall
Callahan	Hawkins	Oakley	Sullivan
Camp	Hearn	Oden	Taylor
Daniel	Jenkins	Phillips	Turner
Dickson			

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And the substitute motion of Mr. Bishop that the House adjourn until Tuesday, July 25, 1961, at twelve o'clock, noon, was adopted.

Yeas 59; Nays 24.

Yeas:

Mr. Speaker	Cook	Jenkins	Pruitt
Albea	Copeland	Johnson (Hardaway)	Ramey
Avery	Dodd	Johnson (J. T. Tom)	Ray
Barnett	Ferguson	Johnston (Leonard)	Reynolds (Chambers)
Bevill	Franklin	Locke	Rogers
Bishop	Gilmer	Long (Lauderdale)	Sessions
Branyon	Gross	McClendon (Chambers)	Shumate
Britton	Grouby	Martin	Smith (St. Clair)
Broadfoot	Guthrie	Merrill	Steagall
Brooks	Hain	Morrow	Sullivan
Cabiness	Hanby	Murphy	Thomas
Callahan	Hankins	Oakley	Turner
Camp	Harvey	Oden	Turnham
Casey	Hearn	Perry	Vickers
Chambers	Ingram	Phillips	

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Nays:

Messrs.	Dunn	Grant	Nettles
Bailey	Edwards	Hawkins	Pierce
Boyd	Engel	Jones (Covington)	Solomon
Cates	Faulk	Long (Perry)	Speaks
Cornett	Glass	McCorquodale	Taylor
Daniel	Goodwyn	Meade	Torbert
Dickson			

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 TWENTY-SECOND DAY

House of Representatives
 Montgomery, Alabama
 Tuesday, July 25, 1961

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Right Reverend Monsignor Malcolm Rafferty, Pastor, Saint Andrew's Catholic Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Camp	Glass	Johnson (Hardaway)
Adams	Casey	Goldthwaite	Johnson (J. T. Tom)
Albea	Cates	Goodwyn	Johnston (Leonard)
Avery	Chambers	Gordon	Jones (Covington)
Bailey	Cook	Grant	Jones (Monroe)
Barnett	Copeland	Gross	Lee
Bassett	Cornett	Grouby	Locke
Bevill	Daniel	Guthrie	Long (Lauderdale)
Bishop	Dickson	Hain	Long (Perry)
Boyd	Dodd	Hanby	McClendon (Chambers)
Brannan	Dunn	Hankins	McCorquodale
Branyon	Edwards	Hardy	McLendon (Bullock)
Brewer	Engel	Harris	Martin
Britton	Faulk	Harvey	Meade
Broadfoot	Ferguson	Hawkins	Merrill
Brooks	Franklin	Hearn	Morrow
Cabiness	Gilchrist	Ingram	Murphy
Callahan	Gilmer	Jenkins	Nettles

Nichols	Ramey	Self	Sullivan
Oakley	Rast	Sessions	Taylor
Oden	Ray	Shumate	Thomas
Owens	Reynolds (Chambers)	Smith (Russell)	Torbert
Perry	Reynolds (Madison)	Smith (St. Clair)	Trimmier
Phillips	Roberts	Solomon	Turner
Pierce	Rogers	Speaks	Turnham
Powell	Rozelle	Steagall	Vickers
Pruitt	Salter		

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A quorum was present.

POINT OF PERSONAL PRIVILEGE

Mr. Cates requested as a matter of personal privilege that the Journal show that he was absent on the twentieth legislative day when the bill, H. 99, was up for passage. He requested that the Journal show that had he been present he would have voted "yea" on the passage of the bill.

REPORT OF THE DEPARTMENT OF CONSERVATION ON THE FISH KILL CAUSED BY POLLUTION OF THE COOSA RIVER AND CHOCCOLOCCO CREEK IN AREAS ADJACENT TO SHELBY, COOSA, AND CHILTON COUNTIES

Mr. William C. Younger, Director of Conservation, submitted a report in accordance with House Joint Resolution No. 38, which resolution directed an investigation and report by the State Department of Conservation of an incident of pollution of the Coosa River and Choccolocco Creek occurring on or about May 14, 1961.

THE DEPARTMENT OF CONSERVATION REPORT

Received and ordered filed.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Smith (Russell) to suspend the rules in order to introduce a resolution out of order was adopted.

RESOLUTION

The following resolution was introduced:

By Mr. Smith (Russell):

H. J. R. 72. WHEREAS on last Friday all the members of the Legislature were presented with delicious peaches from the peach growers of Chilton County; and

WHEREAS the Peach Queen of Chilton County, Miss Mary Kate Tucker, honored the Legislature with her presence and presented a basket of peaches to our Speaker and Lieutenant Governor; and

WHEREAS Representative Francis Speaks and Senator Joe Graham were instrumental in arranging for the peaches to be presented to this Legislature; now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that we do hereby express our thanks and appreciation to Miss Tucker, Representative Speaks and Senator Joe Graham and all the peach growers of Chilton County for the peaches presented to the members of this Body.

On motion of Mr. Smith (Russell) the rules were suspended and H. J. R. 72 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 71. Relative to naming H. B. 169 "The Pierce, Bailey, Goldthwaite, Goodwyn and Andrews Bill."

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 70. To empower the Commissioner of the State Department of Pensions and Security to authorize the destruction of certain obsolete records and cancelled checks.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Messrs. deGraffenried, Moses, Cooper and Farmer:

S. 39. To amend Section 8, Title 27, Code of Alabama 1940, relating to penalty for violation of provisions of adoption statute.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bill, the title to which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 39. Judiciary.

BILLS ON THIRD READING

SPECIAL ORDER

The House proceeded to the consideration of the special order.

H. 352 POSTPONED

On motion of Mr. McLendon (Bullock), consideration of the bill, H. 352, was postponed until the next legislative day.

And the bill:

H. 745. (with substitute). To further preserve the peace.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Judiciary, said committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To further preserve the peace.

Be It Enacted by the Legislature of Alabama:

Section 1. Whoever, after having done anything to induce the assembling of a crowd, or, after having given or knowingly permitted to be given notice or public knowledge that he, or any other person, would, at a time or place certain in this State, do, aid, or assist in doing any act or make any gestures or communications which are calculated to or will probably so outrage the sense of decency and morals or so violate or transgress the customs, pattern of life and habits of the people of Alabama as to be likely to cause a riot or breach of the peace at such time or place, and does in fact do or aid or assist in doing any such act, or gestures, or communications, shall be guilty of a misdemeanor and upon conviction shall be fined a sum not exceeding three hundred dollars and may also be imprisoned for a period of not exceeding six months.

Section 2. Whoever shall aid or abet in the commission of the crime of inciting to riot as defined in Section 1 of this Act shall be punished as a principal.

Section 3. This Act shall become effective upon its signature by the Governor or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 95; Nays 0.

Yeas:

Mr. Speaker	Dodd	Jenkins	Pruitt
Adams	Dunn	Johnson (Hardaway)	Ramey
Albea	Edwards	Johnston (Leonard)	Rast
Avery	Engel	Jones (Monroe)	Ray
Bailey	Faulk	Lee	Reynolds (Madison)
Barnett	Ferguson	Locke	Roberts
Bevill	Franklin	Long (Perry)	Rogers
Bishop	Gilchrist	McClendon (Chambers)	Rozelle
Boyd	Gilmer	McCorquodale	Salter
Brannan	Glass	McLendon (Bullock)	Self
Branyon	Goldthwaite	Martin	Sessions
Brewer	Goodwyn	Meade	Shumate
Britton	Gordon	Merrill	Smith (Russell)
Brooks	Grant	Morrow	Smith (St. Clair)
Cabiness	Gross	Murphy	Solomon
Callahan	Grouby	Nettles	Speaks
Camp	Hain	Nichols	Steagall
Casey	Hanby	Oakley	Sullivan
Cates	Hardy	Oden	Taylor
Chambers	Harris	Owens	Thomas
Cook	Harvey	Perry	Trimmier
Cornett	Hawkins	Phillips	Turner
Daniel	Hearn	Pierce	Turnham
Dickson	Ingram	Powell	

—95

And said bill, H. 745, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 95; Nays 0.

Yeas:

Mr. Speaker	Dodd	Jenkins	Pruitt
Adams	Dunn	Johnson (Hardaway)	Ramey
Albea	Edwards	Johnston (Leonard)	Rast
Avery	Engel	Jones (Monroe)	Ray
Bailey	Faulk	Lee	Reynolds (Madison)
Barnett	Ferguson	Locke	Roberts
Bevill	Franklin	Long (Perry)	Rogers
Bishop	Gilchrist	McClendon (Chambers)	Rozelle
Boyd	Gilmer	McCorquodale	Salter
Brannan	Glass	McLendon (Bullock)	Self
Branyon	Goldthwaite	Martin	Sessions
Brewer	Goodwyn	Meade	Shumate
Britton	Gordon	Merrill	Smith (Russell)
Brooks	Grant	Morrow	Smith (St. Clair)
Cabiness	Gross	Murphy	Solomon
Callahan	Grouby	Nettles	Speaks
Camp	Hain	Nichols	Steagall
Casey	Hanby	Oakley	Sullivan
Cates	Hardy	Oden	Taylor
Chambers	Harris	Owens	Thomas
Cook	Harvey	Perry	Trimmier
Cornett	Hawkins	Phillips	Turner
Daniel	Hearn	Pierce	Turnham
Dickson	Ingram	Powell	

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And the bill:

H. 797. To amend Sections 3 and 4 of Act No. 981, H. 817, approved September 12, 1951 (Acts of Alabama 1951, page 1655) entitled "An Act relating to criminal sexual psychopathic persons; providing for the commitment and treatment of such persons after their conviction of a sex offense, and prescribing the procedure therefor; and providing for the further disposition of such persons."

Was taken up.

Mr. Hanby offered the following amendment to the bill, H. 797:

AMEND HOUSE BILL NUMBER 797 BY STRIKING SECTION 1 AS THE SAME THEREIN APPEARS AND SUBSTITUTING IN LIEU THEREOF SECTION 1 AS FOLLOWS:

Section 1. Sections 3 and 4 of Act No. 981, H. 817, approved September 12, 1951 (Acts of Alabama 1951, page 1655) entitled "An Act relating to criminal sexual psychopathic persons; providing for the commitment and treatment of such persons after their conviction of a sex offense, and prescribing the procedure therefor; and providing for the further disposition of such persons" are amended to read as follows:

"Section 3. When any person is charged with or convicted of a criminal sex offense and there is reason to believe that such person is a criminal sexual psychopathic person, the solicitor prosecuting the case or the Attorney General may in his sound discretion file in such courts, as a part of the proceeding and before the imposition of sentence or punishment, a petition in writing setting forth the facts tending to show that such person is a criminal sexual psychopathic person.

"Section 4. Upon the filing of such petition the court shall issue a mittimus or commitment of such person to the county jail. The court shall then appoint two qualified psychiatrists who, within ten (10) days from the date of the issuance of the mittimus or commitment, shall make a personal examination of such alleged criminal sexual psychopathic person. Such psychiatrists shall file with the court a report in writing of the results of their examination together with their conclusions and recommendations. In the event that both of such psychiatrists in such report state their conclusions to the effect that such person is a criminal sexual psychopathic person, a hearing shall be held as hereinafter provided, otherwise such person shall be admitted to bail as in other criminal cases."

And the amendment was adopted.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Bevill	Britton	Cates
Adams	Bishop	Broadfoot	Chambers
Albea	Boyd	Brooks	Copeland
Avery	Brannan	Cabiness	Cornett
Bailey	Branyon	Camp	Daniel
Barnett	Brewer	Casey	Dodd

Dunn	Harris	Morrow	Rogers
Edwards	Harvey	Murphy	Rozelle
Engel	Hawkins	Nettles	Salter
Faulk	Hearn	Nichols	Self
Ferguson	Jenkins	Oakley	Sessions
Franklin	Johnson (Hardaway)	Oden	Smith (Russell)
Gilchrist	Johnson (J. T. Tom)	Owens	Smith (St. Clair)
Gilmer	Johnston (Leonard)	Perry	Solomon
Glass	Jones (Covington)	Phillips	Speaks
Goldthwaite	Jones (Monroe)	Pierce	Steagall
Goodwyn	Lee	Powell	Sullivan
Gordon	Locke	Pruitt	Thomas
Grant	Long (Perry)	Ramey	Torbert
Gross	McCorquodale	Rast	Trimmier
Grouby	McLendon (Bullock)	Ray	Turner
Hain	Martin	Reynolds (Madison)	Turnham
Hanby	Meade	Roberts	Vickers
Hardy	Merrill		

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And said bill, H. 797, as thus amended, was read a third time at length and passed.

Yeas 98; Nays 0.

Yeas:

Mr. Speaker	Dodd	Johnson (Hardaway)	Pruitt
Adams	Dunn	Johnson (J. T. Tom)	Ramey
Albea	Edwards	Johnston (Leonard)	Rast
Avery	Engel	Jones (Covington)	Ray
Bailey	Faulk	Jones (Monroe)	Reynolds (Madison)
Barnett	Ferguson	Lee	Roberts
Bassett	Franklin	Locke	Rogers
Bevill	Gilchrist	Long (Perry)	Rozelle
Bishop	Gilmer	McCorquodale	Salter
Boyd	Glass	McLendon (Bullock)	Self
Brannan	Goldthwaite	Martin	Sessions
Branyon	Goodwyn	Meade	Shumate
Brewer	Gordon	Merrill	Smith (Russell)
Britton	Grant	Morrow	Smith (St. Clair)
Broadfoot	Gross	Murphy	Solomon
Cabiness	Grouby	Nettles	Speaks
Callahan	Guthrie	Nichols	Steagall
Camp	Hain	Oakley	Sullivan
Casey	Hanby	Oden	Thomas
Cates	Hardy	Owens	Torbert
Chambers	Harris	Perry	Trimmier
Cook	Harvey	Phillips	Turner
Copeland	Hawkins	Pierce	Turnham
Cornett	Hearn	Powell	Vickers
Daniel	Jenkins		

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RECESS

On motion of Mr. Solomon the House recessed until 2:00 o'clock this afternoon.

Yeas 51; Nays 36.

Yeas:

Messrs.	Cornett	Hawkins	Oden
Adams	Daniel	Johnson (J. T. Tom)	Perry
Avery	Dunn	Johnston (Leonard)	Phillips
Barnett	Edwards	Jones (Monroe)	Ramey
Bishop	Faulk	Lee	Ray
Brannan	Ferguson	Locke	Reynolds (Chambers)
Britton	Gilchrist	McClendon (Chambers)	Rogers
Broadfoot	Gilmer	McCorquodale	Self
Camp	Gordon	Martin	Smith (Russell)
Casey	Grant	Merrill	Solomon
Cates	Gross	Nettles	Thomas
Chambers	Guthrie	Nichols	Torbert
Copeland	Hardy	Oakley	Turnham

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Nays:

Mr. Speaker	Dodd	Jones (Covington)	Rozelle
Albea	Engel	Long (Lauderdale)	Salter
Bailey	Franklin	Long (Perry)	Shumate
Bevill	Goldthwaite	McLendon (Suinock)	Speaks
Boyd	Harris	Meade	Steagall
Branyon	Harvey	Morrow	Sullivan
Brewer	Hearn	Owens	Trimmier
Callahan	Jenkins	Pruitt	Turner
Cook	Johnson (Hardaway)	Reynolds (Madison)	Vickers

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AFTERNOON SESSION

The hour of 2:00 o'clock P. M. having arrived, the House reconvened.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following engrossed bill with the original bill and finds same correctly engrossed, to-wit:

H. 797. TO AMEND SECTIONS 3 AND 4 OF ACT NO 981, H. 817, APPROVED SEPTEMBER 12, 1951 (ACTS OF ALABAMA 1951, PAGE 1655) ENTITLED "AN ACT RELATING TO CRIMINAL SEXUAL PSYCHOPATHIC PERSONS; PROVIDING FOR THE COMMITMENT AND TREATMENT OF SUCH PERSONS AFTER THEIR CONVICTION OF A SEX OFFENSE, AND PRESCRIBING THE PROCEDURE THEREFOR; AND PROVIDING FOR THE FURTHER DISPOSITION OF SUCH PERSONS."

VIRGIS M. ASHWORTH,
Chairman.

The above and foregoing report of the Standing Committee on Rules was concurred in and adopted.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills and House Joint Resolution, to-wit:

H. 169. To provide for assistance to the Supreme Court of Alabama in the preparation of questionnaires furnished boards of registrars.

Also:

H. 70. To empower the Commissioner of the State Department of Pensions and Security to authorize the destruction of certain obsolete records and cancelled checks.

Also:

H. J. R. 71. Relative to naming House Bill 169.

And finds same correctly enrolled.

VIRGIS M. ASHWORTH,
Chairman.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills and House Joint Resolution, the titles to which are set out in the above and foregoing report of the Standing Committee on Rules.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Boyd to suspend the rules in order to introduce one general bill and one local bill out of order was adopted.

INTRODUCTION OF BILLS

The following bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Boyd:

H. 1161. To make an additional appropriation for payment of expenses of the Legislature,

Ways and Means.

By Messrs. Boyd and Bassett.

H. 1162. To fix the compensation of the coroner in any county in Alabama having a population of not less than 25,800 nor more than 26,700 according to the 1960 or any subsequent decennial federal census.

Local Legislation No. 1.

POINT OF PERSONAL PRIVILEGE

Mr. Turnham delivered the following remarks on the floor of the House and requested that they be inserted in the Journal of the House, and it was so ordered.

Mr. Speaker and Gentlemen of the House:

In view of recent developments, I feel that as a parent and as a member of this body I should make a statement as to my deep concern over mounting problems in the field of public education. It is apparent at this time that proration of school funds will not be 9.4% as predicted earlier and as declared by the Governor; rather this figure will be closer to 12%. In such an event the schools would stand to lose more than thirteen million dollars in anticipated revenue. The school people of the State have told us in good faith that the situation is critical and unless something is done during this Session of the Legislature many school systems will only operate for 7 months or less. In some instances school systems might not even open their doors this fall without financial help. It has been reported that 64 county and city school systems are running a heavy deficit at this time. Five hundred more teacher units will be needed this fall to take care of increased enrollment and this, in the face of the present shortage of money, coupled with the fact that we will have 815,000 children in public schools this year should cause us to re-evaluate our thinking on proposed legislation now before this House. We must realize that the school children of Alabama will be the losers should schools fail to open or should schools operate for less than nine months. It does not seem fair that every state department should get an increase in funds while the schools of the State are taking a decrease. This problem cuts across the entire educational structure and economy of our State from the schools of higher learning through the elementary and trade school fields. I hope this body will not fail to give due consideration to the greatest asset that we have in our state; the young human lives who are being trained to live and work in an increasingly complex world.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Smith (Russell) to suspend the rules in order to take up for immediate consideration the third reading of the bill, S. 469, was adopted.

And the bill:

S. 469. To amend further Code of Alabama 1940, Title 1, Section 14, which relates to the reclassification date for laws based on population.

Was read a third time at length and passed.

Yeas 94; Nays 1.

Yeas:

Mr. Speaker	Barnett	Branyon	Camp
Adams	Bevill	Brewer	Casey
Albea	Bishop	Britton	Cates
Avery	Boyd	Broadfoot	Chambers
Bailey	Brannan	Callahan	Copeland

Cornett	Hardy	Meade	Roberts
Daniel	Harris	Merrill	Rogers
Dodd	Hawkins	Morrow	Rozelle
Dunn	Hearn	Murphy	Salter
Edwards	Ingram	Nettles	Self
Engel	Jenkins	Nichols	Sessions
Faulk	Johnson (Hardaway)	Oakley	Shumate
Ferguson	Johnson (J. T. Tom)	Oden	Smith (Russell)
Gilchrist	Johnston (Leonard)	Owens	Solomon
Gilmer	Jones (Covington)	Perry	Speaks
Glass	Jones (Monroe)	Phillips	Steagall
Goldthwaite	Lee	Pierce	Sullivan
Goodwyn	Locke	Powell	Taylor
Gordon	Long (Lauderdale)	Pruitt	Thomas
Grant	Long (Perry)	Ramey	Torbert
Grouby	McClendon (Chambers)	Rast	Trimmier
Hain	McCorquodale	Ray	Turner
Hanby	McLendon (Bullock)	Reynolds (Madison)	Turnham
Hankins	Martin		

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Nay:

Cabiness

—1

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Smith (Russell) to suspend the rules in order to indefinitely postpone the bill, H. 990, was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 72. Expressing appreciation to Miss Tucker, Representative Speaks and Senator Graham for the peaches presented to the Legislature.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 483. To amend further Section 2 of the Act entitled "An Act to raise revenue; levying a privilege or license tax against persons on account of certain business activities; prescribing the rate thereof and exemptions therefrom; superseding Article 10 of Chapter 20, Title 51, Code of Alabama, 1940, as amended and supplemented" (Act No. 100, H. 94, Second Special Session 1959).

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Smith (Russell) the House concurred in and adopted the Senate amendment to the bill, H. 483, said Senate amendment being as follows:

Amendment to H. B. 483:

That Section 1 of H. B. 483, To amend further Section 2 of the Act entitled "An Act To Raise Revenue; etc. (Act No. 100, H. 94, Second Special Session 1959)" be amended by inserting immediately after the phrase "automotive vehicle, or truck-trailer or semi-trailer", wherever the same appears therein, the words "or house trailer", so that Section 2(d) of said Act No. 100, as amended thereby shall read as follows:

"2(d) Upon every person, firm or corporation engaged or continuing within this state in the business of selling at retail any automotive vehicle or truck trailer, semi-trailer or house trailer, an amount equal to one and one-half percent of the gross proceeds of sale of said automotive vehicle or truck trailer, semi-trailer or house trailer.

"Where any used automotive vehicle or truck trailer, semi-trailer or house trailer is taken in trade, or in a series of trades, as a credit or part payment on the sale of a new or used vehicle, the tax levied herein shall be paid on the net difference, that is, the price of the new or used vehicle sold less the credit for the used vehicle taken in trade."

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Engel	Johnson (J. T. Tom)	Powell
Adams	Faulk	Johnston (Leonard)	Pruitt
Albea	Ferguson	Jones (Covington)	Ramey
Avery	Gilchrist	Jones (Monroe)	Reynolds (Chambers)
Bailey	Gilmer	Lee	Reynolds (Madison)
Barnett	Glass	Locke	Roberts
Bevill	Goldthwaite	Long (Perry)	Rogers
Boyd	Goodwyn	McClendon (Chambers)	Rozelle
Brannan	Gordon	McCorquodale	Sessions
Branyon	Grant	McLendon (Bullock)	Shumate
Brewer	Gross	Martin	Smith (Russell)
Britton	Grouby	Meade	Smith (St. Clair)
Cabiness	Guthrie	Merrill	Solomon
Camp	Hain	Morrow	Speaks
Casey	Hanby	Murphy	Steagall
Cates	Hankins	Nettles	Sullivan
Chambers	Hardy	Oakley	Thomas
Copeland	Harris	Oden	Torbert
Cornett	Hearn	Owens	Trimmier
Daniel	Ingram	Perry	Turner
Dodd	Jenkins	Phillips	Turnham
Dunn	Johnson (Hardaway)	Pierce	

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House.

H. 482. To amend further Code of Alabama 1940, Title 51, Section 788, which relates to the levy of the state use tax.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Smith (Russell) the House concurred in and adopted the Senate amendment to the bill, H. 482, said Senate amendment being as follows:

AMENDMENT TO H. B. 482:

That Section 1 of H. B. 482 (To amend further Code 1940, Title 51, Sec. 788) be amended by inserting immediately after the words or phrase "automotive vehicle or truck trailer and semi-trailer," wherever the same appear therein, the words "or house trailer."

And so that Section 788(c) of Title 51, 1940 Code, as so amended thereby shall read as follows:

"788(c). An excise tax is hereby imposed on the storage, use or other consumption in this state of any automotive vehicle or truck trailer, semi-trailer or house trailer purchased at retail on or after October 1, 1959, for storage, use or other consumption in this state at the rate of one and one-half percent of the sales price of such automotive vehicle, truck trailer, semi-trailer or house trailer. Where any used automotive vehicle or truck trailer, semi-trailer or house trailer is taken in trade, or in a series of trades, as a credit or part payment on the sale of a new or used vehicle, the tax levied herein shall be paid on the net difference, that is, the price of the new or used vehicle sold less the credit for the used vehicle taken in trade."

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Camp	Gilmer	Harris
Adams	Casey	Glass	Hearn
Albea	Cates	Goldthwaite	Ingram
Avery	Chambers	Goodwyn	Jenkins
Bailey	Copeland	Gordon	Johnson (Hardaway)
Barnett	Cornett	Grant	Johnson (J. T. Tom)
Bevill	Daniel	Gross	Johnston (Leonard)
Boyd	Dodd	Grouby	Jones (Covington)
Brannan	Dunn	Guthrie	Jones (Monroe)
Branyon	Engel	Hain	Lee
Brewer	Faulk	Hanby	Locke
Britton	Ferguson	Hankins	Long (Perry)
Cabiness	Gilchrist	Hardy	McClendon (Chambers)

McCorquodale	Owens	Reynolds (Madison)	Speaks
McLendon (Bullock)	Perry	Roberts	Steagall
Martin	Phillips	Rogers	Sullivan
Meade	Pierce	Rozelle	Taylor
Merrill	Powell	Shumate	Thomas
Morrow	Pruitt	Smith (Russell)	Trimmier
Nettles	Ramey	Smith (St. Clair)	Turner
Oakley	Reynolds (Chambers)	Solomon	Turnham

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JOURNAL FOR THE SIXTEENTH LEGISLATIVE DAY APPROVED

On motion of Mr. Pruitt, further reading of the Journal of the House for the sixteenth legislative day was dispensed with, and the report of the Standing Committee on Rules set out in the Journal of the House on the seventeenth legislative day was concurred in and adopted, and the Journal of the House for the sixteenth legislative day was approved.

Yeas 87; Nays 1.

Yeas:

Mr. Speaker	Dodd	Hearn	Pierce
Adams	Dunn	Ingram	Powell
Albea	Edwards	Jenkins	Ramey
Avery	Engel	Johnson (J. T. Tom)	Ray
Bailey	Faulk	Johnston (Leonard)	Reynolds (Madison)
Barnett	Ferguson	Jones (Covington)	Roberts
Bevill	Gilchrist	Jones (Monroe)	Rogers
Bishop	Gilmer	Lee	Rozeile
Boyd	Glass	Locke	Salter
Brannan	Goldthwaite	McClendon (Chambers)	Shumate
Branyon	Goodwyn	McCorquodale	Smith (Russell)
Brewer	Gordon	McLendon (Bullock)	Smith (St. Clair)
Britton	Grant	Martin	Solomon
Cabiness	Gross	Meade	Speaks
Callahan	Grouby	Merrill	Steagall
Camp	Guthrie	Morrow	Sullivan
Casey	Hain	Murphy	Taylor
Cates	Hanby	Nettles	Thomas
Chambers	Hankins	Oakley	Trimmier
Copeland	Hardy	Owens	Turner
Cornett	Harris	Perry	Turnham
Daniel	Hawkins	Phillips	

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Nay:

Mr. Reynolds (Chambers)

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REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the Seventeenth legislative day and finds the same to be correct.

VIRGIS M. ASHWORTH,
Chairman.

On motion of Mr. Pruitt, the reading at length of the Journal of the House for the Seventeenth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the Seventeenth legislative day was approved.

Yeas 84; Nays 3.

Yeas:

Mr. Speaker	Daniel	Hawkins	Pierce
Adams	Dodd	Hearn	Powell
Albea	Dunn	Ingram	Ramey
Avery	Edwards	Jenkins	Ray
Bailey	Engel	Jones (Covington)	Reynolds (Madison)
Barnett	Faulk	Jones (Monroe)	Roberts
Bevill	Ferguson	Lee	Rogers
Bishop	Gilchrist	Locke	Rozelle
Boyd	Gilmer	McClendon (Chambers)	Sessions
Brannan	Glass	McCorquodale	Shumate
Branyon	Goldthwaite	McLendon (Bullock)	Smith (Russell)
Brewer	Goodwyn	Martin	Smith (St. Clair)
Britton	Gordon	Meade	Solomon
Cabiness	Grant	Merrill	Speaks
Callahan	Gross	Morrow	Steagall
Camp	Grouby	Murphy	Sullivan
Casey	Guthrie	Nettles	Taylor
Cates	Hain	Oakley	Thomas
Chambers	Hanby	Owens	Trimmier
Copeland	Hankins	Perry	Turner
Cornett	Harris	Phillips	Turnham

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Nays:

Messrs.	Johnston (Leonard)	Oden	Reynolds (Chambers)
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—3

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the Eighteenth legislative day and finds the same to be correct.

VIRGIS M. ASHWORTH,
Chairman.

On motion of Mr. Pruitt, the reading at length of the Journal of the House for the Eighteenth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the Eighteenth legislative day was approved.

Yeas 75; Nays 15.

Yeas:

Mr. Speaker	Bailey	Bishop	Brannan
Adams	Bevill	Boyd	Brewer

Britton	Glass	Jones (Covington)	Roberts
Cabiness	Goldthwaite	Jones (Monroe)	Rogers
Callahan	Goodwyn	Locke	Rozelle
Camp	Gordon	McClendon (Chambers)	Sessions
Casey	Grant	McCorquodale	Shumate
Cates	Gross	McLendon (Bullock)	Smith (Russell)
Chambers	Grouby	Meade	Smith (St. Clair)
Cornett	Guthrie	Merrill	Solomon
Daniel	Hain	Morrow	Speaks
Dodd	Hanby	Murphy	Steagall
Dunn	Hankins	Nettles	Sullivan
Edwards	Hardy	Owens	Thomas
Engel	Harris	Perry	Trimmier
Faulk	Hawkins	Phillips	Turner
Ferguson	Ingram	Pierce	Turnham
Gilchrist	Jenkins	Rast	Vickers
Gilmer	Johnson (Hardaway)	Reynolds (Madison)	

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Nays:

Messrs.	Broadfoot	Martin	Ray
Albea	Johnson (J. T. Tom)	Oden	Reynolds (Chambers)
Avery	Johnston (Leonard)	Powell	Salter
Barnett	Lee	Ramey	Taylor

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REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the nineteenth legislative day and finds the same to be correct.

VIRGIS M. ASHWORTH,
Chairman.

The motion of Mr. Pruitt to suspend the rules in order to dispense with the reading at length of the Journal of the House for the nineteenth legislative day was lost.

Yeas 65; Nays 28.

Yeas:

Mr. Speaker	Engel	Hawkins	Rast
Adams	Faulk	Ingram	Reynolds (Madison)
Bailey	Gilchrist	Johnson (Hardaway)	Roberts
Bassett	Gilmer	Jones (Covington)	Rogers
Bevill	Goldthwaite	McClendon (Chambers)	Rozelle
Bishop	Goodwyn	Meade	Sessions
Boyd	Gordon	Merrill	Shumate
Brannan	Grant	Morrow	Smith (Russell)
Brewer	Gross	Murphy	Smith (St. Clair)
Britton	Grouby	Nettles	Solomon
Callahan	Guthrie	Oakley	Speaks
Casey	Hain	Owens	Steagall
Cates	Hanby	Perry	Sullivan
Cornett	Hankins	Phillips	Thomas
Daniel	Hardy	Pierce	Turner
Dodd	Harris	Pruitt	Vickers
Edwards			

—65

Nays:

Messrs.	Dunn	Lee	Powell
Albea	Ferguson	Long (Lauderdale)	Ramey
Avery	Glass	Long (Perry)	Ray
Barnett	Jenkins	McCorquodale	Reynolds (Chambers)
Branyon	Johnson (J. T. Tom)	McLendon (Bullock)	Salter
Broadfoot	Johnston (Leonard)	Martin	Taylor
Cabiness	Jones (Monroe)	Oden	Trimmier
Camp			

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BILLS ON THIRD READING RESUMED
SPECIAL ORDER

The House again proceeded to the consideration of the special order.

And the bill:

H. 63. To authorize and prescribe the procedure for civil proceedings to compel the support of certain persons within and without the State by other persons under a legal obligation to support them and to repeal Act No. 879 (H. 374, approved September 12, 1951), Acts of Alabama 1951, and Act No. 823 (H. 805, approved September 19, 1953), Acts of Alabama 1953.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Dickson	Jenkins	Powell
Albea	Dodd	Johnson (Hardaway)	Pruitt
Avery	Dunn	Johnson (J. T. Tom)	Rast
Bailey	Engel	Johnston (Leonard)	Ray
Barnett	Faulk	Jones (Covington)	Reynolds (Chambers)
Bassett	Ferguson	Jones (Monroe)	Reynolds (Madison)
Bevill	Gilchrist	Lee	Rogers
Bishop	Gilmer	Locke	Rozelle
Boyd	Glass	Long (Perry)	Salter
Brannan	Goldthwaite	McClendon (Chambers)	Sessions
Branyon	Goodwyn	McLendon (Bullock)	Shumate
Brewer	Gordon	Martin	Smith (Russell)
Britton	Grant	Merrill	Solomon
Broadfoot	Gross	Morrow	Speaks
Brooks	Grouby	Murphy	Sullivan
Callahan	Guthrie	Nettles	Taylor
Camp	Hain	Nichols	Thomas
Casey	Hanby	Oakley	Torbert
Cates	Hankins	Oden	Trimmier
Chambers	Hardy	Perry	Turner
Copeland	Harris	Phillips	Turnham
Cornett	Hearn	Pierce	Vickers
Daniel	Ingram		

—90

And the bill:

H. 68. To amend Section 66 of Title 49, Code of Alabama 1940 which relates to the authority of the state department of pensions and security to issue licenses to child-caring institutions and agencies.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Daniel	Hawkins	Powell
Adams	Dickson	Hearn	Pruitt
Albea	Dodd	Ingram	Ramey
Avery	Dunn	Jenkins	Rast
Bailey	Engel	Johnson (Hardaway)	Ray
Barnett	Faulk	Johnson (J. T. Tom)	Reynolds (Chambers)
Bevill	Ferguson	Johnston (Leonard)	Reynolds (Madison)
Bishop	Franklin	Jones (Covington)	Rogers
Boyd	Gilchrist	Jones (Monroe)	Rozelle
Brannan	Gilmer	Lee	Salter
Branyon	Glass	Long (Parry)	Sessions
Brewer	Goldthwaite	McClendon (Chambers)	Shumate
Britton	Goodwyn	Martin	Smith (Russell)
Broadfoot	Gordon	Merrill	Solomon
Brooks	Grant	Morrow	Speaks
Cabiness	Gross	Murphy	Steagall
Camp	Grouby	Nettles	Sullivan
Casey	Guthrie	Nichols	Thomas
Cates	Hain	Oakley	Turbert
Chambers	Hanby	Oden	Trimmier
Cook	Hankins	Perry	Turner
Copeland	Hardy	Phillips	Turnham
Cornett	Harris	Pierce	Vickers

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And the bill:

H. 69. (with amendment). To amend Section 74, Title 49, Code of Alabama 1940, and to provide that the amended section shall be transferred to Title 27 as Section 9a - this section clarifies the procedures involved in bringing a child from another state for adoption.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Public Welfare, said committee amendment being as follows:

Amend H. B. 69 by deleting the following words where they are found therein:

"either in the home of the individual bringing the child or in the home of the other individual."

And the amendment was adopted.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cornett	Ingram	Powell
Adams	Daniel	Jenkins	Pruitt
Albea	Dickson	Johnson (Hardaway)	Ramey
Avery	Dodd	Johnston (Leonard)	Rast
Bailey	Dunn	Jones (Covington)	Ray
Barnett	Engel	Jones (Monroe)	Reynolds (Madison)
Bassett	Faulk	Lee	Rogers
Bevill	Ferguson	Locke	Rozelle
Bishop	Franklin	Long (Lauderdale)	Salter
Boyd	Gilchrist	Long (Perry)	Sessions
Brannan	Gilmer	McClendon (Chambers)	Shumate
Branyon	Goldthwaite	McLendon (Bullock)	Speaks
Brewer	Goodwyn	Martin	Steagall
Britton	Gordon	Merrill	Sullivan
Broadfoot	Grant	Murphy	Taylor
Brooks	Grouby	Nettles	Thomas
Cabiness	Hain	Nichols	Torbert
Camp	Hanby	Oakley	Trimmier
Casey	Hankins	Oden	Turner
Chambers	Hardy	Perry	Turnham
Cook	Harris	Phillips	Vickers
Copeland	Hearn	Pierce	

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On motion of Mr. Hain, further consideration of the bill, H. 69, as amended, was postponed until the next legislative day.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Broadfoot to suspend the rules in order to introduce two bills out of order was adopted.

INTRODUCTION OF BILLS

The following bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Broadfoot (with notice and proof):

H. 1163. To Amend Sections 4, 6, 8, 9, 23, 28, 29 and 33 of an Act entitled An Act "To Establish a Law and Equity Court for Lauderdale County, to define its jurisdiction and powers; to provide for trial tax and other fees; to provide that said court shall be open at all times for the trial of cases and transaction of business; prescribing rules and procedure for said court; to provide for an official court reporter for said court and fix his compensation, and to provide for the transfer of causes now or hereafter pending in the County and Circuit Court of Lauderdale County, Alabama, to the Law and Equity Court; to abolish the County Court of Lauderdale County, and the office of Deputy Solicitor for Lauderdale County," approved May 29, 1931, as amended by Act approved July 7, 1947, and as further amended by Act approved May 30, 1951.

Local Legislation No. 1.

Notice and Proof H. 1163:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF LAUDERDALE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To Amend Sections 4, 6, 8, 9, 23, 28, 29 and 33 of an Act entitled An Act "To Establish a Law and Equity Court for Lauderdale County, to define its jurisdiction and powers; to provide for trial tax and other fees; to provide that said court shall be open at all times for the trial of cases and transaction of business; prescribing rules and procedure for said court; to provide for an official court reporter for said court and fix his compensation, and to provide for the transfer of causes now or hereafter pending in the County and Circuit Court of Lauderdale County, Alabama, to the Law and Equity Court; to abolish the County Court of Lauderdale County, and the office of Deputy Solicitor for Lauderdale County", approved May 29, 1931, as amended by Act approved July 7, 1947, and as further amended by Act approved May 30, 1951.

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 4 of said Act approved May 29, 1931, shall be and is amended so as to read as follows: Section 4. That the Clerk of the Circuit Court of Lauderdale County shall be Ex-Officio Clerk of said court, and shall have the power to discharge the duties which will devolve upon the Clerk of the Circuit Court, and shall be subject to the same pains and penalties with regard to the duties of this office, and shall be entitled to the same fees in civil cases wherein the amount involved is more than fifty dollars, as are now or may hereafter be allowed to Circuit Court Clerks of Alabama. In civil cases wherein the amount involved is fifty dollars, or less, the clerk shall be entitled to three dollars for all his services in each case, and the same shall be collected as such fees are collected in the Circuit Court. In addition to the powers hereinabove conferred upon the said clerk, he shall have the power to issue search warrants.

Section 2. That Section 6 of said Act approved May 29, 1931, and amended by Act approved July 7, 1947, and as further amended by Act approved May 30, 1951, shall be and is amended so as to read as follows: Section 6a. The Judge of said court shall receive a salary of Nine Thousand Six Hundred dollars per year, payable Eight Hundred dollars per month out of the general fund of the county treasury at the end of each month, or one-half semi-monthly, at the election of said judge, payable on warrant drawn by said judge. Section 6b. There shall be taxed as a trial fee the sum of Three dollars in each civil case filed in this court where the amount is more than Fifty dollars and One dollar in each civil case filed in this court where the amount involved is Fifty dollars or less. There shall be taxed a trial fee of Three dollars in each criminal case in this court where the fine assessed by the court is more than Five dollars and One dollar where the amount of the fine assessed by the court is Five dollars or less. Such trial fee in all cases shall be paid by the clerk of said court into

the county treasury of Lauderdale County for the benefit of the general fund.

Section 3. That Section 8 of said Act approved May 29, 1931, and as amended by Act approved July 7, 1947, shall be and is amended so as to read as follows: Section 8. That there shall be a solicitor of and for said court, who shall be appointed by the Governor immediately after the approval of this Act, and who shall hold office until the second Tuesday after the first Monday in January 1935, and until his successor is elected and qualified, and shall prosecute for the State all causes in said court and for so doing he shall receive a salary of Five Thousand Two Hundred dollars per year, payable Four Hundred Thirty-three and 33/100 dollars per month, out of the County Treasury on warrants to be drawn by the judge of said court, at the end of each month or semi-monthly, at the election of said solicitor. In the absence of said solicitor the judge of said court may appoint a special deputy solicitor to represent the State in cases that the solicitor of said court is required to represent the State and shall receive for his compensation not less than Ten dollars nor more than Twenty-five dollars, at the discretion of the judge, for each day or fraction thereof, for the time actually appointed. Said Solicitor shall begin upon the approval of this act and at the general election in 1934 and every four years thereafter there shall be elected a solicitor for said Law and Equity Court by the qualified electors of said county. That said solicitor shall be a qualified elector of Lauderdale County and shall be learned in the law, and said solicitor shall not defend any person charged with crime in any court in the State of Alabama; that he shall read and check the transcript in all criminal or quasi-criminal cases appealed from the Law and Equity Court and call to the attention of the trial judge any errors or discrepancies that may appear in said transcript of evidence; that he shall attend all hearings on any application for probation or suspension of sentence in said court and furnish the judge hearing the same all the information in his possession concerning such application for probation or suspension of sentence; and he shall prosecute in said court all cases of non-support and desertion.

Section 4. That Section 9 of said Act approved May 29, 1931, as amended by Act approved July 7, 1947, and as further amended by Act approved May 30, 1951, shall be and is amended so as to read as follows: Section 9. That the duties of the solicitor of said court shall include those duties provided by law for Deputy County Solicitors.

Section 5. That Section 23 of said Act approved May 29, 1931, shall be and is amended so as to read as follows: Section 23. The clerk of this court shall not record the affidavit, warrant and bond in criminal cases, provided, however, the court file containing the affidavit, warrant and bond shall become the permanent record in each case and the clerk shall prepare certified copies of same at the request of any attorney without charge. Should an affidavit in any case become lost another affidavit may be preferred in accordance with Chapter 1, Title 7, 1940 Code of Alabama, and used in the same manner as the original.

Section 6. That Section 28 of said Act approved May 31, 1931, as amended by Act approved July 7, 1947, and as amended by Act approved May 30, 1951, and as further amended by Act approved February 24, 1959, shall be and is amended so as to read as follows: Section 28. The judge of said court shall secure the services of a competent person who shall serve at his pleasure to attend the terms of this court and report in shorthand all the cases tried herein. During the time such person is actually engaged in reporting or transcribing for the court or the attorneys practicing before

the court he or she is an officer of the court. Such reporter shall be paid for such services Four Hundred dollars per month, said salary to be paid from the general funds of Lauderdale County at the same time and manner as the salary of the judge is paid, and in addition to such salary said reporter shall receive the same compensation for transcribing testimony, depositions, or other proceedings as is now provided for official court reporters of the circuit courts, and all such reporter's transcripts and notes shall be certified, preserved and filed in the same manner as now provided by law in the circuit courts. When not engaged in the duties as reporter, such reporter shall be required to serve as office stenographer to said judge in his office.

Section 7. That Section 29 of said Act approved May 29, 1931, as amended by Act approved July 7, 1947, and as further amended by Act approved May 30, 1951, shall be and is amended so as to read as follows: Section 29. In all cases reported by such reporter in this court there shall be taxed and collected as part of the costs of the case the same reporter's fee as is taxed in the circuit courts, provided, however, that such reporter's fee shall not be taxed in non-jury cases having final judgments rendered after judgments by default or nil dicit. Such fees when collected shall be paid by the clerk into the treasury of Lauderdale County.

Section 8. That Section 33 of said Act approved May 29, 1931, shall be and is amended so as to read as follows: Section 33. There shall be taxed against the defendant on conviction the same solicitor's fee and the same shall be collected in the way provided by law for taxing and collecting solicitor's fees in the circuit court, and the same shall be paid into the treasury of Lauderdale County, provided, however, no solicitor's fee shall be taxed in any case where the defendant pleads guilty to an offense charged under Title 36, 1940 Code of Alabama, and provided further that no solicitor's fee shall be taxed when the defendant pleads guilty to an offense in which justices of the peace formerly had jurisdiction in Lauderdale County.

Section 9. If any sentence, clause, provision or section of this Act be declared invalid, the invalidity thereof shall not effect the validity of any other portion or provision of this Act, it being the intention to enact into law so much hereof as may validly become law, irrespective of the invalidity of any portion hereof.

Section 10. That all laws, both local and general, in conflict with this Amended Act be and the same are hereby repealed.

Section 11. That this amendment to said Act approved May 31, 1931, shall take effect on the first Monday after the second Tuesday in January, 1963.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LAUDERDALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared D. H. Bowling, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Advertising Manager of the Florence Times, a newspaper of general circulation published in Lauderdale County, Alabama, and that the attached

notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 30, July 7, July 14, and July 21, all in the year 1961.

D. H. BOWLING.

Sworn to and subscribed before me July 21st, 1961.

STANLEY L. SCHULMAN,
Title Notary Public State-at-Large.
My Commission Expires Feb. 19, 1964.

By Messrs. Broadfoot and Long (Lauderdale):

H. 1164. To authorize and create an additional judge of the Eleventh Judicial Circuit, to be designated circuit judge number two and to provide for his appointment and election, jurisdiction, powers, duties, authority and qualifications, to render him liable to all the pains and penalties of other circuit judges of the State of Alabama, and to provide for and fix the salary of such judge.

State Administration.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Bishop to suspend the rules in order to introduce local bills out of order was adopted.

INTRODUCTION OF BILLS

The following bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Bishop (with notice and proof):

H. 1165. To declare and designate certain state-owned lands in Colbert County as a game refuge to be known as "The Colbert County Game Sanctuary"; to close such refuge to hunting; to withdraw from the director of conservation authority to prescribe open seasons for hunting in such refuge; to provide that this Act shall be supplemental; and to prescribe penalties.

Local Legislation No. 1.

Notice and Proof H. 1165:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF COLBERT

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To declare and designate certain state-owned lands in Colbert County as a game refuge to be known as "The Colbert County Game Sanctuary"; to close such refuge to hunting; to withdraw from the director of conservation authority to prescribe open seasons for hunting in such refuge; to provide that this Act shall be supplemental; and to prescribe penalties.

Be It Enacted by the Legislature of Alabama:

Section 1. Any and all lands owned by the State of Alabama lying and being in, or forming a part of, the wild life management area which was established by Regulation No. A-111, promulgated by Mr. Earl McGowin, as director of conservation in June 1952, is hereby declared to be a game refuge and designated "The Colbert County Game Sanctuary." The director of conservation shall provide for the fixing and demarcation of the boundaries of such refuge and for the posting of signs stating that hunting in the refuge is forbidden.

Section 2. Such area is hereby closed to all hunting. Any authority vested in the director of conservation by any other law to establish an open season for hunting in such area is hereby withdrawn; provided, however, nothing in this Act shall relieve the director of conservation of his duty to protect such area from predatory animals and to use such methods as he deems proper for this purpose.

Section 3. Any person who hunts, takes, traps, captures, kills, or attempts to hunt, take, trap, capture, or kill, any wild animal in such sanctuary shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than \$100 nor more than \$1000. This section shall not apply to duly authorized agents of the department of conservation who kill, or capture predatory animals within the refuge pursuant to orders of the director of conservation for the protection of such area from predatory animals.

Section 4. The director of conservation and his designated agents and employees are directed to enforce the provisions of this Act.

Section 5. This Act shall be supplemental to other laws regulating hunting, and except as hereinabove provided, all laws relating to and governing duly established wild life management areas shall apply to The Colbert County Game Sanctuary.

Section 6. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF COLBERT

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. F. Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Colbert County Reporter, a newspaper of general circulation published in Colbert County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 15, June 22, June 29, and July 6, all in the year 1961.

W. F. MILLER.

Sworn to and subscribed before me this 15th day of July, 1961.

GLADYS J. HENDERSON,
Title Notary Public.

By Messrs. Lee and Thomas (with notice and proof):

H. 1166. To alter, extend, and rearrange the boundary lines and corporate limits of the town of Clayton in Barbour County, Alabama, so as to annex certain territory to the town.

Local Legislation No. 1.

Notice and Proof H. 1166:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF BARBOUR

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, extend, and rearrange the boundary lines and corporate limits of the town of Clayton in Barbour County, Alabama, so as to annex certain territory to the town.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the town of Clayton in Barbour County, Alabama, are hereby altered, extended, and rearranged so that all of the lands hereinafter described not heretofore being embraced in the limits of such town and any and all other territory presently embraced therein will lie and be within the boundaries and corporate limits of such town:

Beginning at the northeast corner of the present corporate limits of the town of Clayton in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 33, Township 11, Range 26; thence due west, along the north boundary line of the present corporate limits of the town of Clayton to the northwest corner of the present corporate limits of such town in the SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 32, Township 11, Range 26, and continue on a projection of such north boundary line due west to the point where the projection of such north boundary line intersects the line of said Section 5 and the said Township 11, Range 26; thence due south along said section line and the west section line of Section 5 of Township 10, Range 26, to the southwest corner of said Section 5, Township 10, Range 26; thence due east along the south line of said Section 5 and the south line of Section 4; Township 10, Range 26, to the southeast corner of said Section 4; thence due north along the east line of said Section 4 and the east line of Section 33, Township 11, Range 26, to the point where a projection due east of the north boundary of the present corporate limits of the town of Clayton would intersect said east section line of said Section 33, Township 11, Range 26; thence due west along the projection of the north boundary line to the northeast corner of the present corporate limits of the town of Clayton, which was the point of beginning.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF BARBOUR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bertie G. Parish, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Clayton Record, a newspaper of general circulation published in Barbour County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 15, June 22, June 29, and July 6, all in the year 1961.

BERTIE G. PARISH.

Sworn to and subscribed before me July 14, 1961.

A. B. ROBERTSON, JR.,
Title Notary Public.

By Messrs. Powell and McLendon (Bullock) (with notice and proof):

H. 1167. To amend Act No. 155, H. 296, Regular Session 1953, an act relating to the duties and compensation of county commissioners of Bullock County (Acts of Ala. 1953, vol. I, p. 197).

Local Legislation No. 1.

Notice and Proof H. 1167:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF BULLOCK

NOTICE is hereby given that a bill substantially as follows will be

introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 155, H. 296, Regular Session 1953, an act relating to the duties and compensation of county commissioners of Bullock County (Acts of Ala. 1953, vol. I, P. 197).

Be It Enacted by the Legislature of Alabama:

Section 2 of Act No. 155, H. 296, Regular Session 1953, an act relating to the duties and compensation of the county commissioners of Bullock County (Acts of Ala. 1953, vol. I, p. 197), is hereby amended to read as follows:

"Section 2. That in lieu of the per diem and mileage now authorized and allowed the county commissioners under the provisions of Title 12, Section 28, Code of Alabama 1940, as amended, for the performance of duties with relation to the public roads and bridges of the county, the County Commissioners of Bullock County shall be paid the sum of \$300.00 monthly for the performance of such duties with relation to the public roads and bridges of Bullock County, Alabama, said payments to be made from the Gasoline Tax Fund of the county by warrant drawn by the Judge of Probate on Order of the Court of County Commissioners."

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BULLOCK

Before me, the undersigned authority in and for said County in said State, this day personally appeared Wm. H. Garner, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Union Spring Herald, a newspaper of general circulation published in Bullock County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 15, June 22, June 29, and July 6, all in the year 1961.

WM. H. GARNER.

Sworn to and subscribed before me July 7, 1961.

RUBY M. GARNER,
Title Notary Public.

By Mr. Bishop (with notice and proof):

H. 1168. To provide for the City of Muscle Shoals, Alabama, a civil service system governing the appointment, removal, salaries, tenure, and official conduct of employees of the police department, and City Clerk's of-

fice of the city; defining violations of the Act, and imposing penalties for violations.

Local Legislation No. 1.

Notice and Proof H. 1168:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF COLBERT

NOTICE is hereby given of the intention to apply for the passage of a Bill in the Legislature of Alabama and its enactment in substantially the following form:

To provide for the City of Muscle Shoals, Ala. a civil service system governing the appointment, removal, salaries, tenure, and official conduct of employees of the police department, and City Clerk's office of the city; defining violation of the Act, and imposing penalties for violations.

Be It Enacted by the Legislature of Alabama:

Section 1. Application. This act shall apply to and have application in the City of Muscle Shoals only and to the Police department, the fire department, and the City Clerk's office of such city.

Section 2. Definitions. As used in this act unless the context plainly indicates of a different meaning, the following words, terms and phrases shall have the meanings respectively ascribed to them: "city" means the City of Muscle Shoals; "employee" means any person (including the head department who is employed in the service of the city on a regular monthly salary in the city clerk's office, the fire department or the police department or; "board" the civil service board created by this Act; "head" of department; includes chief of the police department, chief of the fire department, and city clerk; "veteran" means any person who was honorably discharged after serving for six months or more in the armed services of the United States during World War I or World War II. Words used in the masculine gender include the feminine and neuter; the singular includes the plural, and the plural the singular.

Section 3. Civil Service System. All employees of the City as herein defined shall be subject to the civil services rules and regulations prescribed in or promulgated pursuant to this act. Present employees and those who may hereafter be employed shall remain in their respective employments during good behavior, efficiency, and obedience to such rules and regulations as may from time to time, be prescribed by the board and the board may be rules prescribed a retirement age for all employees; but nothing herein shall be construed to prevent or preclude the removal of an employee for cause in the manner hereinafter provided; and no present employee shall be subject to any examination in order to hold his present position.

Section 4. Civil Service Board. There is created the Civil Service Board of Muscle Shoals, which shall be composed of three members designated respectively as Member No. 1, Member No. 2, and Member No. 3,

each of whom shall be over twenty-five years of age, of recognized character and ability, and an actual resident in and qualified elector of the city. No person shall be eligible for membership on the board who holds any civil office of profit under the city, county, or state. Immediately after the passage of this act, Members No. 1, 2, and 3, shall be appointed by the city governing body. Member No. 1 shall be appointed to serve for a period of one year, Member No. 2 shall be appointed to serve for a period of two years, and Member No. 3, shall be appointed for a period of three years. Each year thereafter the City governing body shall appoint one person as the successor to the member of the civil service board whose term expires that year, to serve for a period of three years. Vacancies occurring from death or resignation shall be filled by the city governing body for the unexpired term. Any member of said board whose term shall expire shall be eligible for reappointment. The Board shall meet at least once a month in the municipal building on a date and at an hour to be fixed by its rules and regulation, and as often as shall be necessary for the orderly dispatch of its business. Two members of said board shall constitute a quorum. All appointments to the board shall be by unanimous vote of the governing body of the City.

Section 5. Qualification by member. Every person appointed a member of the civil service board shall, within fifteen days after his appointment, qualify by making oath that he is eligible for said office and will faithfully perform the duties of the same. Such oath shall be administered by any person authorized to administer oaths or by any member of the city governing body, and a copy thereof shall be filed with the city clerk.

Section 6. Compensation. The compensation of each board member shall be one hundred dollars per annum, payable quarterly by the city, and the member chosen to serve as secretary of the board shall be paid an additional sum of fifty dollars per annum, payable quarterly, for his services as secretary, sum of fifty dollars per annum, payable quarterly, for his services as secretary.

Section 7. Records of the Board. The board shall keep minutes of its meetings and a record of all business transacted by it. Its records, except those which the rules of the board require to be held confidential for reasons of public policy, shall be open for inspection by any resident of the city at all reasonable times. The secretary shall act as the custodian of the records of the board. The police department shall furnish such clerical assistance as may be needed by the board.

Section 8. Powers and duties of the Board. The board shall make rules and regulations to carry out the purposes of this act, and to provide for examinations, appointments and removals, and the board may, from time to time, make changes in its rules. The head of each department shall recommend for promotion persons to fill any vacancies that may occur in his department. All promotions shall be made by the board. The board may make rules and regulations relating to the eligibility for promotion. The board shall: (1) classify the different types of service to be performed in the departments of the city; (2) prescribe qualifications, including those of character, education, training and experience, for the appointees and incumbents of each class; (3) subject to approval of the city governing body, fix a maximum and minimum salary for each class; and (4) allocate each position in the service of the city to its proper class. The board shall establish rules and regulations governing dismissals, suspensions, layoffs, terminations, vacations, and leaves of absence, and such rules and regulations shall govern in such matters. Except in connection with a reduction

in force, demotion, suspension, or a general decrease in the salary of all employees in any one department, no employees regular salary or compensation may be reduced without the approval of the board. All employees shall be appointed upon a non-partisan merit basis. In the event a reduction in force becomes necessary in any department, the order of layoff shall be inverse to the order of appointment.

Section 9. Appointments. The board shall make and keep a register or list of all persons eligible and available for appointment to each class of position, and all appointments shall be made from such eligible list. Persons laid off and who are eligible and available for re-employment shall be placed at the head of the proper eligible list in the inverse order of their lay-offs. Employees who resign may be granted re-employment status under such circumstances and in such manner as may be provided for in the board's rules and regulations. Persons desiring appointment may file application with the board and the board shall, from time to time, conduct examinations to test the ability and qualifications of such applicants. Except as otherwise provided herein all applicants shall be examined and examinations shall be open to all citizens of the United States, public, competitive, and subject to the limitations specified by the board as to age, residence, health, weight, habits, moral character, and other factors pertinent to ability to discharge the duties of the position sought. Examinations shall be practical in character and shall relate to those matters which test the ability of the persons examined to discharge intelligently the duties of the position for which he applies. In no case shall an appointment be made from an eligible list which is more than two years old. All applicants shall be graded. A veteran and the widow of a veteran shall have five points added to his or her grade. Any veteran who is drawing compensation have 5 points added to his or her grade. Any veteran who is drawing compensation from the United States because of a service-connected disability shall have 10 points added to her grade. The board shall not examine or appoint any person who is not a citizen of the United States or who has been convicted of a felony or an offence involving moral turpitude.

Section 10. Application for Employment. All applicants for employment shall file their applications in writing with the board, said application to be on blank forms furnished by the board. The board shall conduct all examination, and whenever an examination is to take place shall notify the applicants in writing. Each applicant for examination shall pay to the city clerk the sum of two dollars as an examination fee, and the receipt therefor shall be attached to his application. Said sum shall be placed in the general fund of the City.

Section 11. Vacancies. The city governing body shall notify the board of any vacancy which occurs in the city clerk's office, the fire and police department, and the board shall furnish to it the names and addresses of the three applicants standing highest on the eligible list; and one of the said applicants shall be appointed by the governing body of the city to fill such vacancy. All appointment shall be on a trial basis for a period of six months from the date of appointment. Before the expiration of said period, the head of the department concerned may, by and with the consent of the board, discharge the appointee upon assigning in writing his reasons therefor to the board.

Section 12. Demotions or Suspensions. A department head shall have authority in his department to demote any subordinate employee by and with the consent and approval of the board, provided, however, that upon

written demand filed with the board within five days from the date of the order of demotions the employees shall be given a public hearing by the board before any order of demotion shall be final. A department head shall have authority to suspend any subordinate employee in his department pending the hearing by the board. Any head of department may be similarly suspended or demoted by the city governing body and shall have the same right of hearing.

Section 13. Removals and Discharges. No permanent employee shall be removed or discharged except for cause, upon charges filed with and decided by the board, and after an opportunity has been given him to face his accusers, to be heard in his own defense, and to be represented by counsel. Written charges may be filed against any such employee by the governing body of the city or by any member thereof or may be filed by any department head as to any subordinate employee in his department by filing a written statement of such charges with the board. Charges against any department head or any employee may be filed by any resident citizen of the city. All charges must be in writing, must set forth succinctly the matters complained of, and must be sworn to before a member of the board or before any person authorized to administer oaths. Upon the receipt of such charges, the board, after due consideration, shall determine whether in its opinion it considers that the good of the service will be saved by a trial thereon; and, if not, such charges may be dismissed by the board, but if the board is of the opinion that a trial should be held thereon, the board shall hold a public hearing on the charges, and take such disciplinary action as in their judgement is warranted by the evidence and under the law. All hearings before the board shall be open to the public, provided that when a written waiver of a public hearing, signed by the complainant and the accused employee, is filed with the board, the public may, in the discretion of the board be excluded. All testimony given in all hearings before the board shall be taken down in short hand by a stenographer furnished by the police department. In all cases, the decision of the board shall be reduced to writing and entered in the record of the case. In all proceedings before the board, the city attorney may appear and prosecute all charges instituted by the city governing body or any member thereof or by any department head, when requested or directed to do so by such city governing body. It shall not be the duty of the city attorney to prosecute any charges brought by private citizens. In all proceedings before the board, the city attorney may appear and represent the interest of the city, and he shall also give such legal advice and legal assistance to the board as may be requested by it. If any employee against whom charges are pending willfully fails or refused to attend the hearing of such charges before the board, the board may proceed with the hearing in his absence and take action on the charges same as if he were present. The board, its specially authorized representatives, and each member of the board shall have the power to administer oaths, take depositions, certify official acts, and issue subpoenas to compel the attendance of witnesses and production of papers necessary as evidence in connection with any hearing, investigation, or proceeding within the purview of this act. In case a person refused to obey any subpoena, the board or its representatives may invoke the aid of any circuit court in order that the testimony or evidence be produced. Upon proper showing such court shall issue a subpoena or order requiring the person to appear before the board or its representatives and produce evidence and give testimony relating to the matter in issue. A person who fails to obey such subpoena may be punished by the court for contempt. The fees of witnesses for attendance and travel shall be the same as fees for witnesses in the circuit courts of this state, which fees shall be paid from the city treasury.

Section 14. Review of Decision and appeals. Any party, including the city governing body, aggrieved by a final decision of the board is entitled to a review of such decision by the circuit court of Colbert County, Alabama, by filing a petition in said court within ten days after such final decision is rendered, such petition to be accompanied by such security for the cost of the appeal as may be approved by the clerk of the court. Upon the filing of any such petition and approval of such security, notice thereof shall be served upon the chairman of the board by the petitioner. Such petition shall be heard by the court at the earliest practical date. Review by the court shall be without a jury and confined to the record, including a transcript of the evidence. The court may, upon such terms and conditions as it shall deem proper, at any time before the hearing of the petition, permit the taking of additional evidence before the board and allow modification of the board's findings and final decision. The court upon a hearing of the petition, shall have a power to affirm or reverse and render the decision of the board or to remand the matter to the board for further proceedings consistent with the judgement of the court. The court shall affirm the decision of the board unless it finds that the substantial rights of the petitioner have been prejudiced because the final decision of the board was: (1) unsupported by substantial evidence in the record submitted; (2) in excess of the authority conferred by this act on the board; (3) violative of constitutional provisions; (4) arbitrary or capricious; (5) affected otherwise by substantial error or injustice. Within 30 days an appeal may be taken from any final judgement of such court to the Court of Appeals of Alabama or the Supreme Court of Alabama. The decision or order of the board shall not be superseded by any review or appeal, and the city shall not be obligated to pay the salary of any employees who is not working during the pendency of any review or appeal.

Section 15. Political Activities Prohibited. No person shall be appointed or promoted to, or dismissed from any position, or in any favored or discriminated against with respect to employment because of his political or religious opinions or affiliation. No person shall seek or attempt to use any political endorsement in connection with any appointment to a position. No member shall directly or indirectly, solicit any employee for a subscription or contribution for any political organization. No employee shall be a member of any national, state or local committee of a political party, or an official of a partisan political club or a candidate for nomination or election to any public office, nor shall he take any part in the management or affairs of any political party or in political campaign except to exercise his right as a citizen privately to express his opinion and to cast his vote. Any employee who violates any of the foregoing provisions of this Section shall suffer disciplinary punishment as the board may direct.

Section 16. Penalties. The violation by any employee of any provision in this act or of any of the rules or regulations issued by the board in pursuance thereof, shall constitute an offense for which charges may be preferred against such employee as hereinabove provided, and if such charges are sustained by the board after a notice and hearing as provided, such employee may be discharged or lesser disciplinary action taken against him. The board may in its discretion also decline for a period of one year to re-appoint an employee who has been discharged for such cause. The board may on its own motion institute charges against an employee for the violation of any of the provisions of this act or of any of the rules or regulations issued in pursuance hereof.

Section 17. Special Police Officers and Temporary Appointments. The city governing body may, in an emergency, or in cases where it deems

proper, authorize the chief of police to appoint for temporary service such number of police officers as in the opinion of the city governing body the existing conditions demand. All officers so appointed shall be furnished with badges of different size and design from the regulation badges used by the regular members of the police force. The chief of police shall furnish the board with the names and addresses of all persons to whom he has issued special badges. From and after the effective date of this act, all outstanding commissions conferring police authority upon persons other than those who are regular members of the police department of such city shall be void. The city governing body may, in an emergency or in cases where it deems proper, authorized the head of any department named in this act to appoint for temporary service such number of salaried employees (including part-time employees) as in the opinion of the board the existing condition require. No such temporary appointment shall be made for a period of more than 30 days.

Section 18. Chairman of the Board. The board shall annually elect one of its members as chairman and one as secretary. All meetings of the board shall be held in the municipal building unless otherwise provided by such board.

Section 19. Printing Regulations. The board shall, within 90 days after appointment and qualification of the members thereof, adopt and have printed such rules and regulations, in accordance with the provisions of this act, as it may deem proper. Said rules and regulations and all amendments thereafter adopted shall be kept on file in the office of the City clerk and open for public inspection. No amendment thereto shall become effective until notice of its adoption has been given for 30 days by posting a copy of the same in the vestibule of the municipal building.

Section 20. Constitutionality. Each section of this act and each part of each section are hereby declared to be independent sections and parts of sections, and if any section, sentence, clause or provision of this act shall be held or declared to be unconstitutional or void, it shall not affect or destroy the validity or constitutionality of any other section sentence, clause or provision of this act which is not of itself void and unconstitutional.

Section 21. If this act or its enforcement by the board shall be called into question in any judicial proceedings, or if any person shall fail or refuse to comply with the lawful orders of said board such board with the approval of the city governing body may employ counsel to represent it in sustaining this act or the enforcement thereof, and the compensation of such counsel shall be paid by the city.

Section 22. Effective Date. That this act shall effect immediately upon its approval by the Governor, or upon its otherwise becoming a law.

Section 23. Inconsistent Laws repealed. All laws and part of laws inconsistent herewith are hereby repealed.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF COLBERT

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. F. Miller, who, being by me first duly

sworn, deposes and says that during the times herein mentioned he was Publisher of the Colbert County Reporter, a newspaper of general circulation published in Colbert County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 25, June 1, June 8, and June 15, all in the year 1961.

W. F. MILLER.

Sworn to and subscribed before me June 16th, 1961.

FRANCES DI RAGO,
Title Notary Public.

By Messrs. Callahan and Ferguson (with notice and proof):

H. 1169. To amend Sections 7, 9 and 11 of Act No. 328, H. 854, approved October 29, 1959, An Act to create in the City of Tuscaloosa, Alabama, a fund to be known as the Firemen's and Policemen's Pension and Relief Fund, so as to require additional contribution to the fund by each fireman and policeman eligible to participate in the fund; to require additional contribution to the fund out of the treasury of the city; to permit the board of trustees of the fund to employ an agent or investment counselor; to direct periodic actuarial studies of the fund; and to authorize additional investments of a portion of the fund.

Local Legislation No. 1.

Notice and Proof H. 1169:

NOTICE OF PROPOSED LEGISLATION

NOTICE is hereby given that at the present Regular Session of the Legislature of Alabama a bill substantially as follows will be introduced, and application for its passage will be made:

A BILL TO BE ENTITLED AN ACT

To amend Sections 7, 9 and 11 of Act No. 328, H. 854, approved October 29, 1959, An Act to create in the City of Tuscaloosa, Alabama, a fund to be known as the Firemen's and Policemen's Pension and Relief Fund, so as to require additional contribution to the fund by each fireman and policeman eligible to participate in the fund; to require additional contribution to the fund out of the treasury of the city; to permit the board of trustees of the fund to employ an agent or investment counselor; to direct periodic actuarial studies of the fund; and to authorize additional investments of a portion of the fund.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 7 of Act No. 328, adopted at the 1959 Regular Session of the Legislature of Alabama, is hereby amended to read as follows:

"Section 7. Composition of Fund. Said firemen's and policemen's pension and relief fund shall be derived, obtained, and created as follows: A. From the salary of each fireman and each policeman there shall be de-

ducted, as the same becomes payable, and paid into said fund, an amount equal to nine per centum of the amount of such salary. Provided that whenever a member of the fire or police department of such city is ineligible to participate in the benefits of such fund by reason of the provisions of this Act, neither such ineligible member nor his salary or other compensation shall be subject to any assessment for the benefit of such fund. B. Each fire insurance company, including mutual and industrial fire insurance companies, qualified to do business under the laws of Alabama, and doing business in such city, shall annually and on or before the first day of March of each year hereafter, pay into said Firemen's and Policemen's Pension and Relief Fund, a sum equal to one and one-half per centum of the gross premiums, less return premiums, received by such fire insurance company for and on account of business, including all renewals of fire insurance, done by it in the city, during the preceding calendar year; and it shall be unlawful for any such fire insurance company or its agent, to take or receive any premium for insurance against fire within the city unless such fire insurance company shall pay, at the time aforesaid, to the said Firemen's and Policemen's Pension and Relief Fund, the amount herein provided to be paid by such fire insurance company; and any such fire insurance company violating any of the provisions of this section shall forfeit to the said Firemen's and Policemen's Pension and Relief Fund the sum of One Thousand Dollars, to be recovered against such fire insurance company so violating said provisions, or its agent, by suit brought in the name of the city for the use of such fund. Each person, firm or corporation, which conducts a fire insurance agency or brokerage business in such city, shall annually, within the first ten days of each year, make and file a sworn statement, in writing, with the city clerk of such city, as treasurer of such fund, giving the name and address of each fire insurance company which such person, firm or corporation represented or did business for, as agent or broker, during the preceding year; and any such person, firm or corporation conducting any such fire insurance agency or brokerage business in such city, violating the provisions of this section shall forfeit to the said Firemen's and Policemen's Pension and Relief Fund the sum of One Hundred Dollars to be recovered against such person, firm or corporation, so violating such provisions, by suit brought in the name of such city for the use of such fund and all such forfeitures and penalties provided for herein, when collected, shall be and become a part of said Firemen's and Policemen's Pension and Relief Fund. Provided, however, that the said sum equal to one and one-half per centum of gross premiums, less return premiums, required by this paragraph of this section to be paid by fire insurance companies into said Firemen's and Policemen's Pension and Relief Fund shall be treated and held to be a part of the maximum of four per cent on each one hundred dollars, or major fraction thereof, of gross premiums, less return premiums, which any municipal corporation may by law impose upon any fire insurance company in any one year as a license or privilege tax for the privilege of doing business in such municipality during such year under Section 739 of Title 37 of the Code of Alabama of 1940 as amended or as the same may be amended. C. All firemen and policemen shall promptly pay into such fund all witness fees in criminal cases, and in cases in which they have been summoned by the city, received by them from any court in the county in which such city is situated, and all moneys received by them or any of them as a reward or gratuity for the apprehension of any person, the furnishing of any evidence, the recovery or saving of any property, services at any fire, or otherwise received by them for similar service or for work in the line of his duty. D. There shall be paid into such fund, as and when received, all liquor seizure fees received by any policeman or to which he may be entitled and all amounts received by the city from the State Alcohol Beverage Control Board for confiscated liquors and beverages delivered to it as required by law. E. The Board of Trustees may take by gift, grant,

devise or bequest, any money, personal property, real estate or any interest therein or any right of property; and any such gift, grant, devise or bequest may be absolute or in fee simple or upon condition that only rents, income and profits arising therefrom shall be applied to the purposes for which said fund is created. F. The governing body of the city shall cause to be paid into such fund out of the treasury of such city, an amount equal to nine per centum of the salary of each member of such fire and police department who is eligible to participate in the benefits of such fund, such payment to be made to such fund as and when such salary becomes payable, and deduction therefrom is made as provided in this section."

Section 2. Section 9 of Act no. 328, adopted at the 1959 Regular Session of the Legislature of Alabama, is hereby amended to read as follows:

"Section 9. Board to Manage and Control Fund. The Board of Trustees shall be the trustee of such fund and shall have the exclusive management and control thereof, and all matters legitimately connected therewith. It shall have power to adopt and enforce such rules and regulations as may be necessary to enable it effectively and properly to carry into execution the purposes for which it was organized, and to enable it to properly manage and conduct the business and affairs entrusted to it, provided such rules and regulations shall in no way contravene the provisions of this Act, but shall be in conformity thereto. The Board of Trustees may employ an investment counselor or agent to invest and manage such portion of the Fund as the Board may direct. The Board of Trustees shall hear and decide all applications for pension or relief under this Act and its decisions on such applications shall be final and conclusive, and not subject to review or reversal, except by said Board. It shall cause to be kept a record of all its meetings and proceedings. From and after the election of members of the Board of Trustees in January of 1962, five members of said Board shall constitute a quorum for the transaction of any and all business of said Board and the affirmative vote of five members shall be necessary and sufficient to adopt any resolution; prior to the election of additional trustees in 1962, three members of the Board shall constitute such quorum. Meeting of said Board shall be held in the council chamber in the city hall at such time as it may be called to meet by the Chairman or by any two members. Neither the secretary, treasurer, custodian, nor any member of said Board, shall receive any salary or compensation for his services. The Board of Trustees shall cause an actuarial study to be made of the Fund by some person, firm or corporation experienced in actuarial evaluation on or before January 30, 1967, and at least once every six (6) years thereafter and cause the results of such study to be made available to all firemen and policemen who participate in the Fund."

Section 3. Section 11 of Act No. 328, adopted at the 1959 Regular Session of the Legislature of Alabama, is hereby amended to read as follows:

"Section 11. Investment of Portion of Fund. The Board of Trustees, after considering the probable demands upon the fund may invest such portion of it as may be safely withdrawn for the purpose. Of that portion of the fund which the Board of Trustees has determined to be available for investment, not less than forty per cent (40 per cent) shall be invested, or held for investment, in interest bearing bond or securities of the United States of America, bonds of any state in the United States, or any bonds lawfully issued by municipalities in the United States; not exceeding thirty per cent (30 per cent) of the money deemed available for investment may be invested in corporate stocks and bonds; not exceeding thirty per cent

(30 per cent) of the money deemed available for investment may be invested in real estate loans, secured by a first mortgage thereon. All income from investments shall be and become a part of the fund. All securities belonging to the fund shall be deposited with the treasurer of the fund or, in the event that a financial agent has been employed, may be held by the financial agent and shall be subject to the direction and control of the board of trustees."

Section 4. Effective Date. This Act shall become effective on and after the 1st day of October, 1961.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

I hereby certify that the attached notice was published in the Tuscaloosa News once a week for 4 consecutive weeks; viz, June 30, July 7, 14, 21, 1961.

WALLACE LEE,
Legal Clerk.

Subscribed and sworn to before me on this the 21st day of July, 1961.

LILLA COLLINS,
Notary Public.

By Messrs. Callahan and Ferguson (with notice and proof):

H. 1170. TO ALTER THE CORPORATE LIMITS OF THE CITY OF TUSCALOOSA, AND TO REARRANGE AND DEFINE THE BOUNDARIES THEREOF.

Local Legislation No. 1.

Notice and Proof H. 1170:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter the corporate limits of the City of Tuscaloosa, Alabama, and to rearrange and define the boundaries thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the City of Tuscaloosa, in the County of Tuscaloosa, State of Alabama, be and the same are hereby altered and rearranged so as to include within the corporate limits of the said City all of the territory lying within the County of Tuscaloosa, included within the following described boundaries, namely:

As a point of beginning start at the Northeast corner of Lot 29, Block 7, of the Lynn Haven Survey, a plat of said survey being recorded in Plat Book 5, at Page 173, in the Probate Office of Tuscaloosa County, Alabama; thence Northwardly along the prolongation of the East boundary of said Lot 29 to a point on the North boundary and northwest boundary of the Old Birmingham Highway (Alabama State Highway No. 116); thence Eastwardly and Northeastwardly along the North boundary of said Alabama State Highway No. 116 to an intersection with the South boundary of Section 14, Township 21 South, Range 9 West; thence Easterwardly along the South boundary of said Section 14 to the Southeast corner of said Section 14; thence Northwardly along the East boundary of said Section 14 to Northeast corner of the Southeast Quarter of said Section 14; thence Westwardly along the North boundary of the South Half of said Section 14 to the Northwest corner of the Southwest Quarter of the said Section 14; thence continue Westwardly along the North boundary of the Northeast Quarter of the Southeast Quarter of Section 15, Township 21 South, Range 9 West to an intersection with the center of Hurricane Creek; thence Southwardly along the meanderings of the center line of said Hurricane Creek to its second intersection with the West boundary of the Southwest Quarter of the Southeast Quarter of said section 15; thence continue Southwardly along the West boundary of the Southwest Quarter of the Southeast Quarter to the Southwest corner of said Southwest Quarter of the Southeast Quarter; thence Westwardly along the North boundary of the Northeast Quarter of the Northwest Quarter of Section 22, Township 21 South, Range 9 West to the Northwest corner of said Northeast Quarter of the Northwest Quarter; thence Southwardly along the West boundary of said Northeast Quarter of the Northwest Quarter and the West boundary of the Southeast Quarter of the Northwest Quarter of said Section 22 to a point that is 200.0 feet North of the Southwest corner of said Southeast Quarter of the Northwest Quarter; thence Eastwardly and parallel to the South boundary of said Southeast Quarter of the Northwest Quarter for a distance of 100.0 feet to a point; thence Southwardly and parallel to the West boundary of said Southeast Quarter of the Northwest Quarter for a distance of 200.0 feet to a point on the South boundary of said Southeast Quarter of the Northwest Quarter; thence Eastwardly along the South boundary of said Southeast Quarter of the Northwest Quarter for a distance of 524.5 feet to a point; thence South 3 degrees 23 minutes East for a distance of 639.5 feet, more or less, to a point that is 5.0 feet North of the North boundary of the right-of-way of the Old Birmingham Highway (Alabama State Highway No. 116); thence Westwardly, parallel to, and 5.0 feet North of the North boundary of the right-of-way of said Alabama State Highway No. 116 to a point that is on the prolongation Northwardly of the West boundary of Lot 29, Block 7, of the Lynn Haven Survey; thence Southwardly and along the prolongation of the West boundary of said Lot 29 to the Northwest corner of said Lot 29; thence Eastwardly along the North boundary of said Lot 29 to the Northeast corner of said Lot 29, which is the point of beginning of the property herein described.

Section 2. That all laws and parts of law, general, special and local, in conflict with this Act be and the same are hereby repealed.

Section 3. That this Act shall go into effect immediately upon its approval by the Governor.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

I hereby certify that the attached notice was published in Graphic, a newspaper published in and having a general circulation in the City and County of Tuscaloosa, Alabama, once a week for four consecutive weeks; viz, June 22, June 29, July 6, and July 13, 1961.

BETTY PEAVY,
Legal Clerk.

Subscribed and sworn to before me on this the 17th day of July, 1961.

KARL S. ELEBASH, JR.,
Notary Public.

By Messrs. Gilchrist and Brewer (with notice and proof):

H. 1171. To extend the boundary lines of the City of Decatur, in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

Local Legislation No. 1.

Notice and Proof H. 1171:

LEGAL NOTICE

As required by Article 4, Section 106, of the Constitution of Alabama of 1901, notice is hereby given of the intention to apply at the next special or regular session of the Legislature of Alabama for the enactment of Local Law substantially as follows:

A BILL
TO BE ENTITLED
AN ACT

To extend the boundary lines of the City of Decatur, in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

Be It Enacted by the Legislature of Alabama:

SECTION 1. That the boundary lines of the City of Decatur, in Morgan County, Alabama, be and the same are hereby extended so as to include, in addition to the territory now embraced therein, the following described property, to-wit:

All that part of Pennyacres subdivision Addition No. 4 to Decatur, Alabama, as shown by map of record in the Probate Office of Morgan County, Alabama, and all that part of the right-of-way of 13th Street S. E., lying North of said Pennyacres Subdivision Addition No. 4, not now embraced within the boundary lines of the City of Decatur, being further described as beginning at a point on the present boundary lines of the City of Decatur at the intersection of the North line of 13th Street S. E., with

the West line of 24th Avenue S. E.; thence East along the North line of 13th Street S. E., approximately 2272.89 feet to the Northeast corner of said Pennyacres Subdivision Addition No. 4 at a point on the East line of 27th Avenue S. E.; thence South along the East line of said Pennyacres Subdivision Addition No. 4 a distance of 1724.31 feet, more or less, to a point on the South line of said Pennyacres Subdivision Addition No. 4, which is also on the present boundary line of the City of Decatur; thence West along the South line of said Pennyacres Subdivision Addition No. 4 a distance of 885.24 feet, more or less, to the West line of Section 27, Township 5 South, Range 4 West; thence North along the said West line of said Section 27, a distance of 1665.20 feet, more or less, to a point on the South line of 13th Street S. E.; thence West along the South line of 13th Street S. E., to the West line of 24th Avenue S. E.; thence North along the West line of 24th Avenue S. E., to the point of beginning.

SECTION 2. This Act shall be effective immediately upon its passage and approval by the Governor.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared B. C. Shelton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 1, April 8, April 15, and April 22, all in the year 1961.

B. C. SHELTON.

Sworn to and subscribed before me this 22nd day of April, 1961.

R. H. JERVIS,
Title Notary Public.

My commission expires October 15, 1961.

By Messrs. Brewer and Gilchrist (with notice and proof):

H. 1172. To extend the boundary lines of the City of Decatur in Morgan County, Alabama, so as to include within the boundaries of said municipality certain additional territory.

Local Legislation No. 1.

Notice and Proof H. 1172:

LEGAL NOTICE

Notice is hereby given that at the regular session of the Legislature of Alabama to convene in May, 1961, a bill substantially as follows will be introduced and application for its passage and enactment will be made, that is to say:

A BILL
TO BE ENTITLED
AN ACT

To extend the boundary lines of the City of Decatur in Morgan County, Alabama, so as to include within the boundaries of said municipality certain additional territory.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the City of Decatur in Morgan County, Alabama, be and the same are hereby extended so as to include in addition to the territory now embraced therein the following described property, to-wit:

Beginning at the SW corner of the NE¼ of Section 33, Township 5 South, Range 4 West, and running east along the south margin of the NE¼ of said Section 33 a distance of 1325.37 feet to a point at the intersection of the south margin of Acrilane SE and the east margin of Calumet Avenue SE, if extended, the true point of beginning; thence continuing east along the south margin of Acrilane SE, 180 feet to a point; thence turning a deflection angle of 89° 46' 30" to the left and running northerly along the east margin of a 20 foot alley 1190.76 feet to a point on the SW corner of Lot 27, Brookmead Subdivision Addition No. 5, as shown by map or plat of said addition on file in the office of the Judge of Probate of Morgan County, Alabama; thence turning an angle of 90° and running easterly along the south margin of said Lot 27 for a distance of 160 feet to the west margin of Brookwood Drive SE; thence turning an angle of 90° and running southerly along the west margin of Brookwood Drive, SE, 23.4 feet to a point; thence running an angle of 90° and running easterly 230 feet to the east margin of a 20 foot alley; thence turning an angle of 90° and running northerly along the east margin of said 20 foot alley 776.25 feet to the north margin of Quince Drive SE; thence turning an angle of 89° 35' measured clockwise from back tangent and running westerly along the north margin of Quince Drive SE 30 feet to a point; thence turning an angle of 89° 35' measured counterclockwise from back tangent and running northerly 190 feet to the north margin of a 20 foot alley; thence turning an angle of 89° 35' measured clockwise from back tangent and running westerly along the north margin of said 20 foot alley 10 feet to a point; thence turning an angle of 89° 35' measured counterclockwise from back tangent and running northerly 170 feet to the south margin of Stratford Road SE; thence turning an angle of 89° 35' measured clockwise from back tangent and running westerly along the south margin of Stratford Road SE 530 feet to a point on the NW corner of Lot "A", Brookmead Subdivision, Addition No. 3, as shown by map or plat of said addition on file in the office of the Judge of Probate of Morgan County, Alabama; thence turning an angle of 90° 25' measured clockwise from back tangent and running southerly 2300.17 feet to the true point of beginning.

All the herein described land lying and being in the NE¼ of Section 33, Township 5 South, Range 4 West, Morgan County, Alabama, and containing 18.749 acres.

Section 2. This act shall be effective immediately upon its passage and approval by the Governor.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared B. C. Shelton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 28, April 4, April 11, and April 18, all in the year 1961.

B. C. SHELTON.

Sworn to and subscribed before me this 18th day of April, 1961.

R. H. JERVIS,
Title Notary Public.

My commission expires October 15, 1961.

By Messrs. Hain, Hardy and Gilmer:

H. 1173. To repeal Act No. 221, H. 577, Regular Session 1959, an act providing that cities having populations of not less than 20,000 nor more than 23,000 may enact ordinances to establish and maintain general systems of pensions and retirements for the benefit of their regular employees (Acts of Alabama 1959, vol. 1, p. 759).

Local Legislation No. 1.

By Messrs. Hardy, Hain, Gilmer and Brewer:

H. 1174. To authorize all cities in the State of Alabama having a population exceeding 28,000 and not exceeding 30,000 inhabitants, according to the 1960 or any succeeding regular decennial Federal Census, or which shall hereafter have such population according to any such census that may hereafter be taken, to enact ordinances to establish and maintain a general system of pensions and retirements, including allowances payable on retirement for age or disability, or benefits on separation from service, for the benefit of their regular employees whose salaries are paid on a monthly basis, with necessary classification and terms of admission; and providing that upon the establishment of any system of pensions and retirements such employees theretofore or thereafter appointed shall be eligible, subject to such exceptions, limitations and restrictions as deemed expedient, to admission to such system; to authorize such ordinances to prescribe the manner in which the system may be conducted and its funds collected and distributed; to authorize such cities enacting such ordinances to establish such board for the administration of the fund as is deemed expedient, and to permit the governing body of the city to serve as such board; to require the participating employees and the city to contribute to the funds of such retirement system and to provide for the fixing of the rates of contribution; to require the board to have prepared annually actuarial valuation of the assets and liabilities of the system and to permit, on the basis of such valuation, increase or decrease in the rates of contribution; to require such pension or retirement system organized under the provisions of this

act to create and maintain reserves, calculated to be adequate to cover the liabilities on account of benefits payable under the ordinances, except that the provisions of this act shall not be applicable to any retirement system heretofore established by local act of the Alabama Legislature, on the basis of an interest rate not in excess of four per centum per annum, and mortality disability and other experience tables, or a similar group of employees; to authorize the reserves required in respect of service rendered or benefits granted prior to the date of the organization of such system under the provisions of this act to be accumulated on a basis calculated to produce a balance between the actuarial present value of the assets and the liabilities of the system within a period of not exceeding thirty years from the date of establishment of said system; to authorize the organization of a retirement system under this act to provide for the cessation, limitation or application of any former system of retirement benefits applying to persons eligible to be included in the newly organized system provided that any funds of such former system transferred to the newly organized system shall be applied first to the payment of the benefits on account of which such funds were contributed; to require that the funds of such retirement system organized under the provisions of this act constitute a trust fund to be used only for the purpose of providing the benefits of such retirement system and shall be held independently of the funds in the treasury of the city; to require that the ordinances provided for trustees, to invest and reinvest the funds of the system and the terms and restrictions in the manner of making such investments; to provide that the property of said system, the portion of wages or salary of an employee deducted or to be deducted, the right of an employee to a benefit, and all his rights in the funds of the system shall be exempt from taxation, attachment, execution, or other process to satisfy any debt or liability of any employee of the system and any law relating to bankruptcy or insolvency; to provide that no assignment of any right in said funds or any benefits under the provisions of said ordinances shall be valid; to provide the time of taking effect of this act.

Local Legislation No. 1.

By Mr. Nichols (with notice and proof):

H. 1175. TO ALTER, REARRANGE AND EXTEND THE CORPORATE LIMITS OF THE CITY OF SYLACAUGA, TALLADEGA COUNTY, ALABAMA.

Local Legislation No. 1.

Notice and Proof H. 1175:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF TALLADEGA

NOTICE is hereby given that a Bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

TO ALTER, REARRANGE AND EXTEND THE CORPORATE

LIMITS OF THE CITY OF SYLACAUGA, TALLADEGA COUNTY, ALABAMA.

Be It Enacted by the Legislature of Alabama:

Section 1. That the corporate limits of the City of Sylacauga, Talladega County, Alabama, be changed and extended to include the following territory:

The North Half of the Northeast Quarter and all that portion of the South Half of the Northeast Quarter of Section 21 of Township 21 South of Range 4 East, that lies North and West of the center line of the L & N Railroad Company; all being in Section 21 of Township 21 South of Range 4 East, and all of the same being in Talladega County, Alabama.

Section 2. This Act shall take effect immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION**STATE OF ALABAMA
COUNTY OF TALLADEGA**

Personally appeared before me, a Notary Public in and for said County W. A. Moody, who being duly sworn according to law deposes and says that he is the Publisher of the SYLACAUGA ADVANCE a newspaper published in said County and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for 4 weeks consecutively, to-wit in the issues hereof dated as follows: June 8, 1961, June 15, 1961, June 22, 1961, June 29, 1961.

W. A. MOODY.

Subscribed and sworn to before me this 18th day of July 1961.

H. C. KRAMER, JR.,
Notary Public.

By Mr. Nichols (with notice and proof):

H. 1176. TO ALTER, REARRANGE AND EXTEND THE CORPORATE LIMITS OF THE CITY OF SYLACAUGA, TALLADEGA COUNTY, ALABAMA.

Local Legislation No. 1.

Notice and Proof H. 1176:

LEGAL NOTICE**STATE OF ALABAMA
COUNTY OF TALLADEGA**

NOTICE is hereby given that a Bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

TO ALTER, REARRANGE AND EXTEND THE CORPORATE LIMITS OF THE CITY OF SYLACAUGA, TALLADEGA COUNTY, ALABAMA.

Be It Enacted by the Legislature of Alabama:

Section 1. That the corporate limits of the City of Sylacauga, Talladega County, Alabama, be changed and extended to include the following territory:

The East Half of the Southwest quarter of Section 21 of Township 21 South of Range 4 East; the East half of the Northwest quarter and the Northeast Quarter of the Southwest quarter of Section 28 of Township 21 South of Range 4 East, all of the same being in Talladega County, Alabama.

Section 2. This Act shall take effect immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TALLADEGA

Personally appeared before me, a Notary Public in and for said County, J. V. Greer, who being duly sworn according to law, deposes and says that he is the publisher of the Sylacauga News a newspaper published in said County, and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for 4 weeks consecutively, to-wit, in the issues hereof dated as follows: June 8, 1961, June 15, 1961, June 22, 1961, June 29, 1961.

J. V. GREER.

Subscribed and sworn to before me this 20th day of July, 1961.

LEON ARCHER,
Notary Public.

By Mr. Dodd (with notice and proof):

H. 1177. Relating to Lawrence County; authorizing Savings and Loan Associations operating in Morgan County to open, establish, operate and maintain branch offices anywhere in Lawrence County.

Local Legislation No. 1.

Notice and Proof H. 1177:

LEGAL NOTICE
A BILL
TO BE ENTITLED
AN ACT

Relating to Lawrence County; authorizing Savings and Loan Associa-

tions operating in Morgan County to open, establish, operate and maintain branch offices anywhere in Lawrence County.

Be It Enacted by the Legislature of Alabama:

Section 1. The Directors or other governing authority of any savings and loan associations operating in Morgan County, whether such association be chartered under an Act of Congress or State Law, are hereby authorized and empowered to open, establish, operate and maintain a branch office or offices anywhere in Lawrence County and may engage in such business at such branch office or offices as said association is permitted to do by its charter or bylaws.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LAWRENCE

Before me a Notary Public, in and for said State and County, personally appeared Arthur F. Slaton, publisher of The Moulton Advertiser, a newspaper published in said State and County, who being sworn according to law, deposes and says that, the legal notice, copy of which is herewith attached, was duly published in The Moulton Advertiser for 4 consecutive weekly issues beginning with the issue of June 29, 1961 and ending with the issue of July 20, 1961.

ARTHUR F. SLATON.

Subscribed and sworn to before me, this the 24th day of July, 1961, at Moulton, Alabama.

R. E. PROCTOR,
Notary Public.

My commission expires 6-10-64.

By Messrs. Murphy, Engel and Trimmier:

H. 1178. To provide that in all counties having populations of not less than 300,000 nor more than 500,000, according to the 1960 or any subsequent federal decennial census, the governing body of the county shall be authorized to close the offices of all officials, except those of the board of registrars, in their respective courthouses and any annex to such courthouse on certain days.

Local Legislation No. 1.

By Messrs. Murphy, Engel and Trimmier:

H. 1179. To apply in all cities of this state having populations of not less than 200,000 and not more than 300,000, according to the 1960 or any subsequent federal decennial census; to authorize payment to the widows

and children of certain decedents who had formerly been employees of such cities, or departments, or agencies thereof, of certain refunds of contributions made by such decedent to a pension, relief or retirement fund.

Local Legislation No. 1.

By Messrs. Murphy, Engel and Trimmier:

H. 1180. To amend the title and Section 2 of Act No. 346, H. 250, approved July 9, 1945, an act providing special meetings for registrars (General Acts of Alabama 1945, p. 563), so as to specify the meeting days for registrars of counties having populations of not less than 300,000 nor more than 500,000.

Local Legislation No. 1.

By Messrs. Murphy, Engel and Trimmier:

H. 1181. To repeal Act No. 372, H. 648, approved July 6, 1945, entitled "An Act to provide additional compensation for the members of the Board of Registrars in all counties of this State having a population of not less than 140,000 nor more than 300,000 according to the last or any subsequent Federal census," (General Act of Alabama, p. 595).

Local Legislation No. 1.

By Messrs. Murphy, Engel and Trimmier:

H. 1182. To provide additional compensation for the members of the Board of Registrars in all counties of this State having a population of not less than 300,000 nor more than 500,000 according to the 1960 or any subsequent Federal census.

Local Legislation No. 1.

By Messrs. Pierce and Bailey:

H. 1183. To provide further for selection of textbooks for use in junior and senior high schools in counties having populations of not less than 150,000 nor more than 300,000; amending Section 12 of Act No. 412, S. 261, Regular Session 1945.

Local Legislation No. 1.

By Mr. Smith (St. Clair) (with notice and proof):

H. 1184. To alter or rearrange the boundary lines of the City of Pell City, St. Clair County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits, and also certain other territory in St. Clair County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 1184:

LEGAL NOTICE

AN ACT

To alter or rearrange the boundary lines of the City of Pell City, St. Clair County, Alabama, so as to include within the corporate limits of said

City all territory now within such corporate limits, and also certain other territory in St. Clair County, Alabama.

Be It Enacted by the Legislature of Alabama:

SECTION I

That the boundary lines of the City of Pell City, St. Clair County, Alabama, be and the same are altered or rearranged so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in St. Clair County, Alabama, described as follows:

The Southwest quarter of the Northwest Quarter, Section 31, Township 16, Range 4 East, St. Clair County, Alabama.

SECTION II

That the boundaries as set out in Section I of this Act, be and the same are hereby established as the corporate limits of the City of Pell City, St. Clair County, Alabama, and all territory now within the corporate limits of said City together with those lands embraced in said boundaries described above shall hereafter be and constitute the City of Pell City, St. Clair County, Alabama.

SECTION III

This Act shall go into effect immediately upon the passage and approval of the Governor.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF ST. CLAIR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Pat G. Cobb, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Bookkeeper of the St. Clair News-Aegis, a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 6/29, 7/6, 7/13, and 7/20, all in the year 1961.

PAT G. COBB.

Sworn to and subscribed before me July 25, 1961.

ETHEL BLAIR,
Title Notary Public.

By Mr. Smith (St. Clair) (with notice and proof):

H. 1185. To alter or rearrange the boundary lines of the Town of Springville, St. Clair County, Alabama, so as to include within the cor-

porate limits of said town all territory now within such corporate limits, and also certain other territory in St. Clair County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 1185:

LEGAL NOTICE AN ACT

To alter or rearrange the boundary lines of the Town of Springville, St. Clair County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits, and also certain other territory in St. Clair County, Alabama.

Be It Enacted by the Legislature of Alabama:

SECTION I

That the boundary lines of the Town of Springville, St. Clair County, Alabama, be and the same are altered or rearranged so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory in St. Clair County, Alabama, described as follows:

Southwest quarter of Southwest quarter of Section 31, township 14, range 2, East; Southeast diagonal half of Southwest quarter of Southeast quarter, and the East half of the Southeast quarter of Section 30, Township 14, Range 2, East. The Southwest quarter of Section 29, Township 14, Range 2, East. The East half of the Northeast quarter of the Northeast quarter of Section 36, and the Southeast quarter of Southeast quarter of Section 25, Township 14, Range 1, East. The South half of the Southwest quarter of Section 30, Township 14, Range 2, East. Also all that portion of North half of Southeast quarter of Section 31, township 14, range 2, East lying South and East of present Town limit line in said North half of Southeast quarter with intention to include within the Town limits all of the North half of Southeast quarter of Section 31, township 14, range 2, East, situated in St. Clair County, Alabama.

SECTION II

That the boundaries as set out in Section I of this Act, be and the same are hereby established as the corporate limits of the town of Springville, St. Clair County, Alabama, and all territory now within the corporate limits of said Town together with those lands embraced in said boundaries described above shall hereafter be and constitute the Town of Springville, St. Clair County, Alabama.

SECTION III

This Act shall go into effect immediately upon the passage and approval of the Governor.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ST. CLAIR

Before me, the undersigned authority in and for said County in said

State, this day personally appeared E. R. Blair, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the St. Clair News-Aegis, a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 8, June 15, June 22, and June 29, all in the year 1961.

E. R. BLAIR.

Sworn to and subscribed before me July 18, 1961.

ETHEL BLAIR,
Title Notary Public.

By Messrs. Brooks and Dickson (with notice and proof):

H. 1186. To amend Act No. 681, H. 1076, Regular Session 1957, an act relating to the compensation of members of the court of county commissioners, board of revenue or other like governing body of Lowndes County (Acts of Alabama 1957, vol. II, p. 1029).

Local Legislation No. 1.

Notice and Proof H. 1186:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF LOWNDES

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Act No. 681, H. 1076, Regular Session 1957 an act relating to the compensation of members of the court of county commissioners, board of revenue or other like governing body of Lowndes County (Acts of Alabama 1957, vol. II, p. 1029).

Be It Enacted by the Legislature of Alabama:

Section 1 of Act No. 681, H. 1076, Regular Session 1957, an act relating to the compensation of members of the court of county commissioners, board of revenue or other like governing body of Lowndes County (Acts of Alabama 1957, vol. II, p. 1029) is hereby amended to read as follows:

"Section 1. The members of the court of county commissioners, board of revenue or like governing body of Lowndes County shall each be entitled to receive a salary of one thousand two hundred dollars per annum, payable in equal monthly installments, out of any funds in the county treasury

available for such purpose according to law. In addition to his salary, each member who uses his privately-owned automobile on official business for the county shall be entitled to seven and one-half cents a mile for each mile so traveled, provided that no member shall be entitled to mileage in excess of one thousand miles a month."

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA
COUNTY OF LOWNDES

Before me, the undersigned authority in and for said County in said State, this day personally appeared Cecil B. Cross, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Lowndes Signal, a newspaper of general circulation published in Lowndes County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 8, June 15, June 22, and June 29, all in the year 1961.

CECIL B. CROSS, JR.

Sworn to and subscribed before me July 25, 1961.

(Seal)

W. A. NORMAN,
Title Notary Public.

By Messrs. Brooks and Dickson (with notice and proof):

H. 1187. To repeal Act No. 161, S. 25, Regular Session 1959, entitled "An Act relating to the public schools of Lowndes County; authorizing the county board of education to impose and provide for the collection of tuition charges or fees for the attendance of pupils at such schools" (Acts of Alabama 1959, vol. 1, p. 686).

Local Legislation No. 1.

Notice and Proof H. 1187:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF LOWNDES

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To repeal Act No. 161, S. 25, Regular Session 1959, entitled "An Act relating to the public schools of Lowndes County; authorizing the county board of education to impose and provide for the collection of tuition charges or fees for the attendance of pupils at such schools" (Acts of Alabama 1959, vol. 1, p. 686).

Be It Enacted by the Legislature of Alabama:

Section 1. Act No. 161, S. 25, Regular Session 1959, entitled "An Act relating to the public schools of Lowndes County; authorizing the county board of education machine or the parts, attachments, or re of one percent of the sales price of such to impose and provide for the collection of tuition charges or fees for the attendance of pupils at such schools" (Acts of Alabama 1959, vol. 1, p. 686) is hereby expressly repealed.

Section 2. This Act shall become effective immediately upon its passage and approval of the Governor, or upon its otherwise becoming a law.

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA
COUNTY OF LOWNDES

Before me, the undersigned authority in and for said County in said State, this day personally appeared Cecil B. Cross, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Lowndes Signal, a newspaper of general circulation published in Lowndes County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper of June 8, June 15, June 22, and June 29, all in the year 1961.

CECIL B. CROSS, JR.

Sworn to and subscribed before me July 25, 1961.

(Seal)

W. A. NORMAN,
Title Notary Public.

By Messrs. Brooks and Dickson (with notice and proof):

H. 1188. Relating to the powers of the Board of Revenue of Lowndes County; authorizing the board to appoint its clerk and fix his compensation; repealing Section 5 of an act approved December 17, 1894, as amended, which provides that the clerk of the circuit court of the county shall be ex officio clerk of the Board of Revenue.

Local Legislation No. 1.

Notice and Proof H. 1188:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF LOWNDES

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the powers of the Board of Revenue of Lowndes County; authorizing the board to appoint its clerk and fix his compensation; repealing Section 5 of an act approved December 17, 1894, as amended, which provides that the clerk of the circuit court of the county shall be ex officio clerk of the Board of Revenue.

Be It Enacted by the Legislature of Alabama:

Section 1. The Board of Revenue may in its discretion appoint any competent and qualified person to be and act as its clerk, to perform all the duties of the clerk as prescribed by law or as determined by the board. The board may fix the compensation of its clerk and provide for the payment thereof from any funds of the county available for purpose.

Section 2. Section 5 of Act No. 111, H. 82, enacted as the session of 1894-1895, as amended by Act No. 572, S. 609, Regular Session 1951, is hereby repealed.

Section 3. This Act shall not take effect until the expiration of the term of the incumbent clerk of the circuit court of Lowndes County.

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA
COUNTY OF LOWNDES

Before me, the undersigned authority in and for said County in said State, this day personally appeared Cecil B. Cross, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Lowndes Signal, a newspaper of general circulation published in Lowndes County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 8, June 15, June 22, and June 29, all in the year 1961.

CECIL B. CROSS, JR.

Sworn to and subscribed before me July 25, 1961.

(Seal)

W. A. NORMAN,
Title Notary Public.

By Mr. Murphy:

H. 1189: To amend further Act No. 370, S. 439, approved August 21, 1953 (Acts of Alabama, 1953, Vol. I, p. 439), which relates to the powers of the governing bodies of municipalities in any county having a population of more than 225,000 and less than 500,000 inhabitants, according to the last or any future federal census, with respect to the appointment, suspension and discharge of the chief of police of such municipalities.

Local Legislation No. 1.

By Mr. Phillips:

H. 1190. To provide for the payment of an allowance for certain members of the court of county commissioners, board of revenue or like governing body in every county having a population of not less than 17,800 nor more than 18,700 for expenses incurred in the performance of their duties.

Local Legislation No. 1.

By Mr. Adams (with notice and proof):

H. 1191. To amend Section 8 of Act No. 273 of the Legislature of Alabama, Regular Session of 1947, approved August 7, 1947, and designated "The Civil Service Act of Dothan."

Local Legislation No. 1.

Notice and Proof H. 1191:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF HOUSTON

NOTICE is hereby given that a bill substantially as follows will be introduced in the present session of the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

AN ACT

To amend Section 8 of Act No. 273 of the Legislature of Alabama, Regular Session of 1947, approved August 7, 1947, and designated "The Civil Service Act of Dothan."

Be It Enacted by the Legislature of Alabama:

SECTION (1): That Section 8 of Act No. 273 of the Legislature of Alabama, Regular Session of 1947, approved August 7, 1947, and designated "The Civil Service Act of Dothan" is amended to read as follows:

"Section 8. PERSONNEL BOARD. The Personnel Board shall consist of three members and they and their successors in office shall be elected or appointed by the Citizens Supervisory Committee and their terms of office shall be: two years, four years and six years, respectively, beginning as of the effective date of this Act, and their successors in office shall serve for a period of six years and until their successors in office have duly qualified. The Committee shall designate the member whose term of office shall be two years; the member whose term of office shall be four years; and the member whose term of office shall be six years; and the chairman of the Board shall be the member chosen to serve for the term of six years. Each member shall be: (a) over twenty-one years of age, (b) of recognized good character and executive ability, (c) a bona fide resident of Dothan, and (d) a qualified elector of Dothan. No person shall be elected or appointed as a member of said Board if he is or has been within three years next preceding the date of his appointment a candidate for public office in the City of Dothan; and any member of said Board who shall receive an appointment to any public office in the City or Houston

County or becomes a candidate for any public office in the City or Houston County shall forthwith forfeit his position as a member of said Board. Each member shall receive \$10.00 for each meeting of the Board actually attended by him, provided no member shall receive more than \$200.00 for services during any one year. The Board shall meet once each month, on dates to be fixed by its Rules and Regulations, and oftener if it becomes necessary for the orderly dispatch of its business. The Board shall have the power and authority and it shall be its duty to: (a) select a Personnel Director of the City of Dothan; (b) adopt Rules and Regulations for the administration of the provisions of this Act; (c) approve, modify, revise and reject recommendations made by the Director; (d) make reasonable investigation of all charges or complaints presented to it, concerning the observance of the provisions of this Act; (e) enforce the provisions of this Act and the provisions of the Rules and Regulations made in pursuance thereof; (f) consider and determine all matters referred to it by the Director; (g) do all things necessary and proper to improve the administration of the Classified Service hereby established; (h) advise with and assist the Director in fostering and promoting the public interest; (i) adopt rules providing for subrogation of the City to the rights of an employee against a third party to the extent of all salary and other expenditures made or to be made by the City to or for such employee because of injuries received while in line of duty due to the negligence of such third party; and (j) exercise all other powers, functions and duties provided by this Act or essential to its effective administration."

SECTION (2): This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF HOUSTON

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Wallace Miller, who is known to me and who, being by me first duly sworn deposes and says: That he is Advertising Director of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for four successive weeks on the following dates: June 14, 21, 28 and July 5, 1961 in The Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

s/ WALLACE MILLER.

Sworn to and subscribed before me on this 17th day of July, 1961.

(Seal) s/ EUGENE S. McCLINTIC,
Title Notary Public.

By Mr. Steagall (with notice and proof):

H. 1192. To alter, rearrange and extend the boundary lines and corporate limits of the town of Newton in Dale County, so as to annex certain territory to the town.

Local Legislation No. 1.

Notice and Proof H. 1192:

LEGAL NOTICE

NOTICE is hereby given in accordance with the Constitution of Alabama that a bill be introduced at the current session of the Legislature of Alabama proposing a local law altering and rearranging the boundary lines and corporate limits of The Town of Newton, Dale County, Alabama, so as to annex to the town certain unincorporated territory contiguous to the present boundaries.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF DALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared John Q. Adams, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Southern Star, a newspaper of general circulation published in Dale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 1, June 8, June 15, and June 22, all in the year 1961.

JOHN Q. ADAMS.

Sworn to and subscribed before me June 26, 1961.

BETTYE B. GARRETT,
Title Notary Public.

By Messrs. Thomas and Lee (with notice and proof):

H. 1193. To provide for the recording of conveyances in Barbour County, and to repeal Sections 2, 3, 4 and 5 of Act No. 270, approved February 12, 1879, Acts of Alabama 1878-79, pages 295 and 296.

Local Legislation No. 1.

Notice and Proof H. 1193:

NOTICE OF INTENTION TO INTRODUCE LOCAL LAW

NOTICE is hereby given that a local law will be introduced in the present session of the Legislature of Alabama, in substance as follows:

AN ACT

To provide for the recording of conveyances in Barbour County, and to repeal Sections 2, 3, 4 and 5 of Act No. 270, approved February 12, 1879, Acts of Alabama 1878-79, pages 295 and 296.

Be It Enacted by the Legislature of Alabama:

SECTION 1. For the purpose of recording deeds, mortgages, deeds of trust, bills of sale, contracts or other instruments, purporting to convey

any right, title, easement or interest in any real estate or personal property, and all assignments of mortgages, deeds of trust, or other securities for debt, or extension agreements with respect thereto, when executed in accordance with law, shall be admitted to record in the respective offices of the Judge of Probate of Barbour County as hereinafter set out.

SECTION 2. For the purposes of this Act, Barbour County shall be composed of two divisions, separated by a line beginning on the South boundary of said county at a point three miles West of the range line between Range 27 and Range 28, from thence running North in a straight line three miles West of and parallel to said range line to the intersection of said parallel line with the Township line between Township 11 and Township 12, thence West along said Township line to intersection of said Township line with Range line between Range 26 and Range 27, thence North along said Range line 3 miles to corner where Sections 13 and 24, Township 12, Range 26, and Sections 18 and 19, Township 12, Range 27 meet in a point; thence West along section lines 3 miles to Southeast corner of Bullock County.

SECTION 3. All instruments of the character listed in Section 1 hereof, relating to property situated North and East of said division line described in Section 2 hereof shall be recorded in the office of the Judge of Probate of Barbour County at Eufaula; all such instruments relating to property situated South and West of said line described in Section 2 hereof shall be recorded in the office of the Judge of Probate of Barbour County at Clayton. All such instruments relating to property situated in both divisions of the county shall be recorded in both offices of the Judge of Probate of Barbour County.

SECTION 4. The filing as provided in this Act of any instrument which may legally be admitted to record shall operate as notice of the contents of such conveyance or instrument; and the filing of such instrument other than as herein provided shall not operate as notice of the same.

SECTION 5. Sections 2, 3, 4, and 5 of Act No. 270 approved February 12, 1879, Acts of Alabama 1878-79, pages 295 and 296, are hereby repealed.

SECTION 6. This Act shall become effective on January 1, 1962.

SECTION 7. All laws, or parts of laws, in conflict herewith are repealed.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BARBOUR

Before me, P. C. Clayton, a Notary Public in and for said State and County, personally appeared Joel P. Smith, who being sworn, deposes and says on oath, that he is the Publisher of THE EUFAULA TRIBUNE, a newspaper published semi-weekly in the City of Eufaula, Barbour County, Alabama, and that the foregoing attached notice was published in said newspaper 4 times, the same appearing in the issues dated: June 29, July 7, 13, 20, 1961.

JOEL P. SMITH.

Sworn to and subscribed before he this the 24 day of July, 1961.

P. C. CLAYTON,
Notary Public, Barbour Co., Ala.

By Messrs. Ferguson and Callahan (with notice and proof):

H. 1194. To alter the corporate limits of the City of Northport, Alabama, and to rearrange and define the boundaries thereof.

Local Legislation No. 1.

Notice and Proof H. 1194:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter the corporate limits of the City of Northport, Alabama, and to rearrange and define the boundaries thereof.

Be It Enacted by the Legislature of Alabama:

Section 1: That the boundaries of the City of Northport, in the County of Tuscaloosa, State of Alabama, be and the same are hereby altered and rearranged so as to include within the corporate limits of the said City all of the territory lying within the County of Tuscaloosa, included within the following described boundaries, namely:

As a point of beginning start at the Southwest corner of Section 4, Township 21 South, Range 10 West; thence Northwardly along the West boundary of said Section 4 to the Northwest corner of the Southwest Quarter of the Southwest Quarter of said Section 4; thence Eastwardly along the North boundary of said Southwest Quarter of the Southwest Quarter to the Northeast corner of said Southwest Quarter of the Southwest Quarter; thence Southwardly along the East boundary of said Southwest Quarter of the Southwest Quarter to the Southeast corner of said Southwest Quarter of the Southwest Quarter; thence Westwardly along the South boundary of said Southwest Quarter of the Southwest Quarter, which also is the North boundary of Five Points subdivision, a plat of said subdivision being recorded in Plat Book 5, at Page 196 in the Probate Office of Tuscaloosa County, Alabama, to the Northwest corner of Lot 9, said Five Points Subdivision; thence Southwardly along the West boundary of Lots 9, 10, 11, 12, 13, and 14, of said Five Points Subdivision to the Southwest corner of said Lot 14; thence Eastwardly to the Northeast corner of Lot 22, of said Five Points Subdivision; thence Southwardly along the East

boundary of said Lot 22 to the Southeast corner of said Lot 22; thence Westwardly along the South boundary of said Lot 22 to the Southwest corner of said Lot 22; thence Northwestwardly along the Northeast boundary of Alabama Highway No. 43 (Main Avenue) to an intersection with the West boundary of Section 9, Township 21 South, Range 10 West; thence Southwardly along the West boundary of said Section 9, which is also along the present city limits, to an intersection with the North boundary of U. S. Highway No. 82; thence Westwardly along the North boundary of said U. S. Highway No. 82 to an intersection with the South boundary of the Southwest Quarter of the Northeast Quarter of Section 8, Township 21 South, Range 10 West; thence Westwardly along the South boundary of said Southwest Quarter of the Northeast Quarter to the center line of Hargrove Mill Creek; thence Northwardly along the center line of the meanderings of said Hargrove Mill Creek to a point that is on the prolongation Westwardly of the South line of Lots 32 and 33 on the John Smith Acres Addition, a plat of said subdivision being recorded in Plat Book 7, at Page 101 in the Probate Office of Tuscaloosa County, Alabama; thence Eastwardly or Northeastwardly and along the above stated prolongation of said South line of said Lots 32 and 33 to a point on the West boundary of 43rd Avenue, said point being 50.0 feet West of the Southwest corner of said Lot 32 of the John Smith Acres Addition; thence Northwardly along the West boundary of 43rd Avenue, which line is parallel to and 50.0 feet West of the West boundary of Lots 32, 30, 22, and 21 of said John Smith Acres Addition to a point 50.0 feet West of and on the prolongation of the North boundary of said Lot 21, John Smith Acres Addition; thence Eastwardly to the Northwest corner of said Lot 21; thence Eastwardly along the North boundary of said Lots 21, 20, 19, 18, and 17, of the John Smith Acres Addition to the Northeast corner of said Lot 17; thence Northwardly along the West boundary of 41st Avenue to an intersection with the North boundary of 40th Street; thence Eastwardly along the North boundary of said 40th Street and its prolongation, said line being parallel to and 50.0 feet North of the North boundary of Lots 36, 35, and 34, of said John Smith Acres Addition, to an intersection with the East or Northeast boundary of U. S. Highway No. 43; thence Southeastwardly along the Northeast boundary of U. S. Highway No. 43 (Main Avenue) to an intersection with the East boundary of Section 8, Township 21 South, Range 10 West; thence Northwardly along the East boundary of said Section 8 to the Northeast corner of said Section 8 which is also the point of beginning.

Section 2. That all laws and parts of laws, general, special and local, in conflict with this Act be and the same are hereby repealed.

Section 3. That this Act shall go into effect immediately upon its approval by the Governor.

PROOF OF PUBLICATION

STATE OF ALABAMA

COUNTY OF TUSCALOOSA

I hereby certify that the attached notice was published in the Tuscaloosa News once a week for 4 consecutive weeks; viz, June 19, 26, July 3, 10, 1961.

WALLACE LEE,
Legal Clerk.

Subscribed and sworn to before me on this the 10th day of July, 1961.

LILLA COLLINS,
Notary Public.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Edwards to suspend the rules in order to introduce general bills out of order was adopted.

INTRODUCTION OF BILLS

The following bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Phillips, Hawkins, Hain, Gilmer, Hardy and Jones (Monroe):

H. 1195. To make appropriations to the Cahaba Historical Commission and provide for the use thereof.

Ways and Means.

By Mr. Cabiness:

H. 1196. Proposing an amendment to the Constitution of Alabama relative to time and length of legislative sessions.

State Administration.

The above bill was read a first time at length as required by the Constitution.

By Mr. Cabiness:

H. 1197. To provide for transfer to the Alabama Special Educational Trust Fund of the surplus in the general fund at the close of the fiscal year ending September 30, 1961.

Ways and Means.

By Messrs. Cabiness, Speaks, Copeland, Self, Ray, Dodd, Sullivan, Gordon and Long (Lauderdale):

H. 1198. To amend Section 12 of Title 29, Code of Alabama (1940), which prohibits advertising of alcoholic beverages.

State Administration.

By Messrs. Cabiness, Gordon, Hearn, Speaks, Self, Broadfoot, Long (Lauderdale) and Dodd:

H. 1199. To require railroads to erect or install a safety signal or warning device at each grade crossing of a public highway in this State; prescribing penalties.

Business and Labor.

By Mr. Solomon:

H. 1200. To amend Sections 283, 287, 288 and 296 of Title 2 of the Code of Alabama of 1940, relating to the registration and sale of

fertilizer and fertilizer material and the authority of the Commissioner of Agriculture and Industries and the State Board of Agriculture and Industries with respect thereto.

Agriculture.

By Messrs. Ferguson and Callahan:

H. 1201. To amend Act No. 130, S. 164, Regular Session 1951, an act conferring additional powers on circuit solicitors and other solicitors, in relation to the applicability of such act to certain counties.

Judiciary.

By Mr. Perry:

H. 1202. Relating to schools; abolishing public elementary and secondary school systems and providing for a grant-in-aid program for educational purposes.

Education.

By Messrs. Locke, Nettles, Oakley and Daniel:

H. 1203. To define and regulate the business of selling checks, drafts or money orders or of receiving money for the purpose of paying bills, invoices or accounts of the obligor; to provide for the issuance of licenses and the making of examinations and investigations by the state securities commissioner; to provide for the filing of a bond or bonds by the applicant for such licenses; to limit the amount of fees to be charged; to provide for the suspension, surrender and revocation of licenses; to create a trust of certain funds held by a licensee; to provide for the adoption of rules and regulations and to prescribe penalties for violations of this Act.

Judiciary.

By Messrs. Morrow, Perry, Sessions, Rast, Edwards and Locke:

H. 1204. FOR THE RELIEF OF JOE CONTRI, DOING BUSINESS AS CONTRI GROCERY, IN THE SUM OF \$386.00, IN THAT DURING THE YEARS 1956 AND 1957, THE STATE DEPARTMENT OF PENSIONS AND SECURITIES ISSUED EIGHT CHECKS TO SAVANNAH JOHNSON AND SOMEONE REPRESENTING HERSELF AS SAID PAYEE AND INDUCED JOE CONTRI TO NEGOTIATE, OR CASH SAID CHECKS AND THE TREASURER OF THE STATE OF ALABAMA DID NOT REFUSE PAYMENT FOR SOME EIGHT MONTHS, AS A CONSEQUENCE OF WHICH JOE CONTRI WAS DAMAGED IN THE AMOUNT OF \$386.00.

Ways and Means.

By Messrs. Edwards, Hawkins, Rast, Thomas, Gilmer, Murphy, Reynolds (Madison), Morrow, Goodwyn, Brannan, Perry and Sessions:

H. 1205. To amend Code of Alabama 1940, Title 29, Section 28, relating to the granting of licenses for the sale of malt or brewed beverages.

Health.

By Mr. Ferguson:

H. 1206. To provide for transferring from the general fund in the state treasury to the Alabama Special Educational Trust Fund certain specified amounts at the close of each of the fiscal years ending September 30, 1961 and September 30, 1962.

Ways and Means.

By Mr. Ferguson:

H. 1207. To provide for a transfer of \$1,610,003.37 from the general fund in the state treasury to the Alabama Special Educational Trust Fund.

Ways and Means.

By Messrs. Broadfoot and Long (Lauderdale):

H. 1208. Proposing an amendment to the Constitution of Alabama to provide for election of the speaker of the house by the qualified voters of the state.

State Administration.

The above bill was read a first time at length as required by the Constitution.

The motion of Mr. Broadfoot that the bill, H. 1208, lay on the Clerk's desk on three several days and not be referred to a committee was lost.

INTRODUCTION OF BILLS CONTINUED

The following bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Copeland and Harris:

H. 1209. Providing for the use of chemical tests for the determination of intoxication whenever any person is arrested in the state and is charged with driving a vehicle while under the influence of intoxicating liquor; providing that specified percentages of alcohol in the blood shall raise prima facie presumptions with reference to the influence of intoxicating liquors; and providing for the revocation of the privilege of driving motor vehicles upon the refusal of an arrested person to submit to chemical testing.

Judiciary.

By Mr. Copeland:

H. 1210. To provide for service of process in certain civil suits upon non-resident manufacturers or suppliers of chattels which are sold or distributed in this State when such sale or distribution of such chattels has been specifically authorized by the manufacturer or distributor and injuries result from the use or ownership of such chattel in this State due to the breach of a warranty relative to the chattel or to negligence in the constructing, fabricating, packaging or labeling thereof.

Judiciary.

By Messrs. Murphy, Trimmier and Engel:

H. 1211. Relating to taxation; exempting the trustees of the Seamen's Home and The Catholic Maritime Club, Inc., and their property from state, county and municipal taxes, licenses, fees, and excises, under certain prescribed conditions.

Ways and Means.

By Mr. Brewer:

H. 1212. Relating to Patents to Public Lands.

Judiciary.

By Messrs. Brewer, Bevill, Speaks, Self, Roberts, Locke and Casey:

H. 1213. To provide for the transfer of cases to a proper court when a trial court sustains a plea in abatement as to venue.

Judiciary.

By Messrs. Brewer, Bevill, Speaks, Self, Roberts, Locke, Albea, Cornett, Jones (Covington), Rozelle and Reynolds (Chambers):

H. 1214. To amend Section 123 of Title 7 of the 1940 Code of Alabama, relating to actions for wrongful act, omission, or negligence causing death.

Judiciary.

By Messrs. Brewer, Speaks and Self:

H. 1215. To amend Section 273 of Title 7, Code of Alabama 1940, which relates to written jury charges.

Judiciary.

By Mr. Long (Perry):

H. 1216. TO AMEND TITLE 37, SECTION 404, of the Code of Alabama 1940, as heretofore amended, relating to the election of mayor and aldermen and the legislative functions of municipal councils.

Local Government.

By Messrs. Long (Perry), Turnham, and Barnett:

H. 1217. To provide additional funds for educational purposes; making an appropriation from the general fund in the state treasury to the Alabama Special Educational Trust Fund for the fiscal year ending September 30, 1961.

Ways and Means.

By Mr. Johnson (J. T. Tom):

H. 1218. Relating to revenue; providing for tax refunds to retail dealers of gasoline and other motor fuels who collect the state gasoline excise tax from consumers.

Ways and Means.

By Mr. Smith (Russell):

H. 1219. To amend Title 22, Section 199, Code of Alabama 1940, as amended, which relates to care and treatment of tubercular patients.

Ways and Means.

By Mr. Smith (Russell):

H. 1220. To appropriate out of any funds in the State Treasury not otherwise appropriated the sum of \$10,000.00, or so much thereof as may be necessary, to the Fort Morgan Historical Commission, for the purpose of remodeling and/or constructing certain projects at Fort Morgan.

Ways and Means.

By Mr. Shumate:

H. 1221. To amend further Section 2 of the Alabama Motor Carrier Act of 1939 (General Acts 1939, p. 1066), in relation to motor vehicles used in the transportation of petroleum products when the owner, lessee or bailee of the vehicle is legally and regularly engaged in the business of selling or distributing such petroleum products.

Judiciary.

RESOLUTION

The following resolution was introduced:

By Mr. Shumate:

H. J. R. 73. Requesting the State Superintendent of Education to report on the financial condition of schools.

WHEREAS there is precious little information available to the members of the Legislature respecting the true financial condition of the state school systems and colleges and universities, although the clamor for more school money is growing louder and louder by the day and by the hour; and

WHEREAS it is imperative that the Legislature have accurate information on which to make sound judgments and right decisions; now therefore, be it

RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING, That the State Superintendent of Education be, and he hereby is, requested to furnish the members of each House and the Governor, within two weeks from the adoption of this resolution, a report under oath showing:

- 1) The total amount of money received by each independent school system from all sources, including revenue derived from rents or the sale of timber or other property, during the fiscal year ending September 30, 1960;

- 2) The total amount of money paid by the State of Alabama to each

city and county school system and to each college or university for all purposes during the fiscal year ending September 30, 1960;

3) The total amount of unencumbered funds on hand in each school system at the beginning of the current fiscal year;

4) For each school system, the balance remaining from the last fiscal year of all funds appropriated or allotted for capital outlay purposes.

H. J. R. 73 was read and referred to the Standing Committee on Rules.

MOTION TO SUSPEND RULES LOST

The motion of Mr. Brewer to suspend the rules in order to take up for immediate consideration the third reading of local bills was lost.

NOTICE IN WRITING

Mr. Ferguson offered the following Notice in Writing:

Notice is hereby given under House rule 42 that on the next legislative day a motion will be made that the Ways & Means Comm., be directed to act on H. Bills 1206 & 1207 and report the same to the House at its next sitting.

MOTION TO SUSPEND RULES LOST

The motion of Mr. Branyon to suspend the rules in order to allow the Standing Committees to report out of order was lost.

BILLS ON THIRD READING RESUMED

SPECIAL ORDER

The House again proceeded to the consideration of the special order.

H. 76 POSTPONED

On motion of Mr. Hain, consideration of the bill, H. 76, was postponed until the next legislative day.

And the bill:

H. 73. To amend Section 4, Title 27, Code of Alabama 1940, which relates to decree, revocation of order, annulments, reports pertaining to adoption of children.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Dickson	Johnson (J. T. Tom)	Ramey
Adams	Dodd	Johnston (Leonard)	Rast
Albea	Dunn	Jones (Covington)	Ray
Avery	Engel	Jones (Monroe)	Reynolds (Chambers)
Bailey	Faulk	Lee	Reynolds (Madison)
Barnett	Ferguson	Locke	Rogers
Bassett	Gilchrist	Long (Lauderdale)	Rozelle
Bevill	Gilmer	Long (Perry)	Salter
Bishop	Glass	McClendon (Chambers)	Self
Boyd	Goldthwaite	McCorquodale	Sessions
Branyon	Goodwyn	McLendon (Bullock)	Shumate
Brewer	Gordon	Martin	Smith (Russell)
Britton	Grant	Merrill	Smith (St. Clair)
Broadfoot	Gross	Morrow	Solomon
Brooks	Grouby	Nettles	Speaks
Cabiness	Hain	Nichols	Steagall
Callahan	Hanby	Oakley	Sullivan
Casey	Hankins	Oden	Taylor
Cates	Hardy	Perry	Thomas
Chambers	Harris	Phillips	Torbert
Cook	Hearn	Pierce	Trimmier
Copeland	Ingram	Powell	Turner
Cornett	Jenkins	Pruitt	Turnham
Daniel	Johnson (Hardaway)		

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And the bill:

H. 75. To amend Section 9, Title 27, Code of Alabama 1940, relating to inheritance of a child adopted under laws of a foreign state.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Callahan	Glass	Johnson (J. T. Tom)
Adams	Camp	Goldthwaite	Johnston (Leonard)
Albea	Casey	Goodwyn	Jones (Covington)
Avery	Cates	Gordon	Jones (Monroe)
Bailey	Chambers	Grant	Lee
Barnett	Copeland	Gross	Locke
Bassett	Cornett	Grouby	Long (Perry)
Bevill	Daniel	Hain	McClendon (Chambers)
Bishop	Dickson	Hanby	McCorquodale
Boyd	Dodd	Hankins	McLendon (Bullock)
Brannan	Dunn	Hardy	Merrill
Branyon	Engel	Harris	Morrow
Brewer	Faulk	Hearn	Nettles
Britton	Ferguson	Ingram	Nichols
Brooks	Gilchrist	Jenkins	Oden
Cabiness	Gilmer	Johnson (Hardaway)	Owens

Pierce	Rogers	Smith (Russell)	Thomas
Powell	Rozelle	Smith (St. Clair)	Torbert
Pruitt	Salter	Speaks	Trimmier
Ramey	Self	Steagall	Turner
Rast	Sessions	Sullivan	Turnham
Ray	Shumate	Taylor	Vickers
Reynolds (Madison)			

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And the bill:

H. 77. To amend Section 8, Title 27, Code of Alabama 1940, relating to penalty for violation of provisions of adoption statute.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 84; Nays 3.

Yeas:

Mr. Speaker	Cornett	Hardy	Phillips
Adams	Daniel	Harris	Pierce
Albea	Dickson	Hearn	Powell
Avery	Dodd	Ingram	Ramey
Bailey	Dunn	Jenkins	Rast
Barnett	Engel	Johnson (Hardaway)	Ray
Bassett	Faulk	Johnson (J. T. Tom)	Reynolds (Madison)
Bevill	Ferguson	Johnston (Leonard)	Rogers
Bishop	Franklin	Jones (Covington)	Rozelle
Boyd	Gilchrist	Jones (Monroe)	Salter
Brannan	Gilmer	Lee	Self
Branyon	Glass	Locke	Smith (Russell)
Britton	Goldthwaite	Long (Lauderdale)	Smith (St. Clair)
Broadfoot	Goodwyn	Long (Perry)	Solomon
Brooks	Gordon	McClendon (Chambers)	Steagall
Cabiness	Grant	McCorquodale	Thomas
Camp	Gross	McLendon (Bullock)	Torbert
Casey	Grouby	Merrill	Trimmier
Chambers	Hain	Nettles	Turner
Cook	Hanby	Oakley	Turnham
Copeland	Hankins	Owens	Vickers

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Nays:

Messrs.	Brewer	Oden	Speaks
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—3

And the bill:

H. 79. To amend Section 6, Title 27, Code of Alabama 1940, as amended, which relates to adoption by stepfather or stepmother.

Was taken up.

Mr. Engel offered the following amendment to the bill, H. 79:

AMENDMENT TO HOUSE BILL NO. 79

AMENDMENT:

To amend by adding after Section 2

Section 2(a). The provision of this Act shall apply to all adoption petitions now pending and all filed hereafter.

And the amendment was adopted.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Daniel	Hawkins	Phillips
Adams	Dickson	Hearn	Pierce
Albea	Dodd	Ingram	Powell
Avery	Dunn	Jenkins	Pruitt
Bailey	Edwards	Johnson (Hardaway)	Ramey
Barnett	Engel	Johnson (J. T. Tom)	Rast
Bassett	Faulk	Johnston (Leonard)	Ray
Bevill	Ferguson	Jones (Covington)	Reynolds (Madison)
Bishop	Franklin	Jones (Monroe)	Rogers
Boyd	Gilchrist	Lee	Rozelle
Brannan	Gilmer	Locke	Salter
Branyon	Glass	Long (Lauderdale)	Self
Brewer	Goldthwaite	Long (Perry)	Smith (Russell)
Britton	Goodwyn	McClendon (Chambers)	Solomon
Broadfoot	Gordon	McCorquodale	Speaks
Brooks	Grant	McLendon (Bulluck)	Steagall
Cabiness	Gross	Martin	Sullivan
Callahan	Grouby	Merrill	Taylor
Camp	Guthrie	Morrow	Thomas
Casey	Hain	Nettles	Torbert
Cates	Hanby	Nichols	Trimmier
Chambers	Hankins	Oakley	Turner
Cook	Hardy	Oden	Turnham
Copeland	Harris	Owens	Vickers
Cornett			

—97

Mr. Torbert offered the following amendment to the bill, H. 79, as amended:

Amend H. B. 79 as follows:

1. In H. B. 79 on lines 28 and 29 strike out the following words: "or the state department of pensions & security."

And the amendment was adopted.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Albea	Bailey	Bassett
Adams	Avery	Barnett	Bevill

Bishop	Faulk	Johnson (J. T. Tom)	Pruitt
Boyd	Ferguson	Johnston (Leonard)	Ramey
Brannan	Franklin	Jones (Covington)	Rast
Branyon	Gilchrist	Jones (Monroe)	Ray
Britton	Gilmer	Locke	Reynolds (Madison)
Broadfoot	Glass	Long (Perry)	Rogers
Brooks	Goldthwaite	McClendon (Chambers)	Rozelle
Cabiness	Goodwyn	McCorquodale	Salter
Callahan	Gordon	McLendon (Bullock)	Self
Camp	Grant	Martin	Smith (Russell)
Casey	Gross	Merrill	Smith (St. Clair)
Chambers	Grouby	Morrow	Solomon
Cook	Hain	Nettles	Speaks
Copeland	Hanby	Nichols	Steagall
Cornett	Hankins	Oakley	Sullivan
Daniel	Hardy	Oden	Taylor
Dickson	Harris	Owens	Trimmier
Dodd	Hearn	Phillips	Turner
Dunn	Ingram	Pierce	Turnham
Edwards	Jenkins	Powell	Vickers
Engel	Johnson (Hardaway)		

—90

And said bill, H. 79, as thus amended, was read a third time at length and passed.

Yeas 92; Nays 1.

Yeas:

Mr. Speaker	Dodd	Jenkins	Ramey
Adams	Dunn	Johnson (Hardaway)	Rast
Albea	Edwards	Johnson (J. T. Tom)	Ray
Avery	Engel	Johnston (Leonard)	Reynolds (Chambers)
Bailey	Faulk	Jones (Covington)	Rogers
Barnett	Ferguson	Jones (Monroe)	Rozelle
Bassett	Franklin	Lee	Salter
Bevill	Gilchrist	Locke	Self
Bishop	Gilmer	Long (Perry)	Sessions
Boyd	Glass	McClendon (Chambers)	Shumate
Brannan	Goldthwaite	McCorquodale	Smith (Russell)
Branyon	Goodwyn	McLendon (Bullock)	Smith (St. Clair)
Brewer	Gordon	Martin	Solomon
Britton	Grant	Merrill	Speaks
Broadfoot	Gross	Morrow	Steagall
Cabiness	Grouby	Nettles	Sullivan
Callahan	Hain	Oakley	Taylor
Camp	Hanby	Oden	Thomas
Casey	Hankins	Owens	Torbert
Chambers	Hardy	Phillips	Trimmier
Cook	Hawkins	Pierce	Turner
Copeland	Hearn	Powell	Turnham
Cornett	Ingram	Pruitt	Vickers

—92

Nay:

Mr. Harris

—1

MOTION TO ADJOURN LOST

The motion of Broadfoot that the House adjourn until Friday, July 28, 1961, at ten o'clock A.M. was lost.

Yeas 34; Nays 54.

Yeas:

Messrs.	Casey	Hankins	Pruitt
Avery	Cook	Hardy	Ramey
Bishop	Copeland	Hearn	Ray
Branyon	Dodd	Jenkins	Reynolds (Chambers)
Brewer	Edwards	Johnston (Leonard)	Self
Broadfoot	Faulk	Locke	Smith (St. Clair)
Cabiness	Gilchrist	McLendon (Bullock)	Steagall
Callahan	Gordon	Martin	Turner
Camp	Grouby	Oden	

—34

Nays:

Mr. Speaker	Engel	Long (Perry)	Rozelle
Adams	Ferguson	McClendon (Chambers)	Salter
Albea	Franklin	McCorquodale	Sessions
Bailey	Gilmer	Merrill	Smith (Russell)
Barnett	Glass	Morrow	Solomon
Bassett	Goldthwaite	Nettles	Speaks
Bevill	Goodwyn	Nichols	Sullivan
Boyd	Grant	Oakley	Taylor
<u>Brannan</u>	Gross	Phillips	Thomas
Britton	Harris	Pierce	Torbert
Cates	Hawkins	Powell	Trimmier
Cornett	Johnson (Herdaway)	Rast	Turnham
Daniel	Jones (Covington)	Rogers	Vickers
Dunn	Lee		

—54

BILLS ON THIRD READING RESUMED

SPECIAL ORDER

The House again proceeded to the consideration of the special order.

And the bill:

H. 371. To amend Section 66 of Title 8 of the Code of Alabama 1940, which relates to the means of catching game fish in the state of Alabama.

Was taken up.

Mr. McCorquodale offered the following amendment to the bill, H. 371:

Amend H. B. 371 by inserting the following words on line 5 of Section 1 thereof immediately after the words than ordinary hook and line, "artificial lures,".

And the amendment was adopted.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Cornett	Hardy	Powell
Adams	Daniel	Harris	Pruitt
Albea	Dickson	Hawkins	Rast
Bailey	Dodd	Hearn	Rogers
Barnett	Dunn	Ingram	Rozelle
Bassett	Edwards	Jenkins	Self
Bevill	Engel	Johnson (Hardaway)	Sessions
Boyd	Faulk	Jones (Monroe)	Smith (Russell)
Brannan	Ferguson	Lee	Smith (St. Clair)
Branyon	Franklin	Locke	Solomon
Brewer	Gilchrist	Long (Perry)	Speaks
Britton	Gilmer	McCorquodale	Steagall
Brooks	Glass	McLendon (Bullock)	Sullivan
Callahan	Goldthwaite	Morrow	Taylor
Camp	Grant	Nettles	Thomas
Casey	Gross	Oakley	Torbert
Cates	Grouby	Owens	Trimmier
Chambers	Guthrie	Phillips	Turner
Cook	Hain	Pierce	Vickers
Copeland	Hankins		

—78

Mr. Camp offered the following substitute for the bill, H. 371, as amended:

A BILL
TO BE ENTITLED
AN ACT

To provide a method of bringing suit for the collection of damages in the name of the State of Alabama against any person or persons, firm, company, corporation, partnerships or co-partnerships who or which through the discharge or placing of material of whatever nature into any of the streams of this State cause fish or marine life to be killed from such discharge; and to provide for damages.

Be It Enacted by the Legislature of Alabama:

Section 1. No person or persons, firm, company, corporation, partnership, or co-partnership shall place or allow to be placed after the effective date of this Act any material of whatever nature designed to kill or is likely to kill into the streams of this State, thereby causing any fish or marine life to be killed.

Section 2. It shall be the duty of the respective circuit and/or county solicitors of this State to file complaints in Circuit Court at law seeking damages in the name of the State of Alabama when they have reasonable cause to believe that fish or marine life kills have been caused through such pollution. Such suits will be filed in the circuit court or court of like jurisdiction in the county, or in the case of more than one county, in any one of such counties, in which such fish or marine life were killed. The respective solicitors may call upon the technical staffs of the Water

Improvement Commission and the Department of Conservation for such investigations and technical aid as they may deem necessary.

Section 3. When, after the filing of complaint and the trial of the case, any person or persons, firm, company, corporation, partnership, or co-partnership who or which is found to have caused any marine life or fish to be killed, punitive and compensatory damages for such kills shall be assessed in such amounts as determined by a jury or court trying said cause in absence of a jury.

Section 4. Nothing in this Act should be so interpreted as to prevent scientific surveys and experiments of the Department of Conservation, or sponsored by such agency, from which such surveys and experiments fish are killed.

Section 5. All damages assessed and collected under the provisions of this statute shall be disposed of and deposited in the following manner, viz: fifty per cent (50%) shall be deposited to the credit of the General Fund of the State of Alabama and fifty per cent (50%) shall be divided equally among the counties in which said fish kills occurred and deposited to the General Fund of said counties.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

POINT OF ORDER

The point of order raised by Mr. McCorquodale that the substitute offered by Mr. Camp was not germane to the bill, H. 371, was sustained by the Chair.

MOTION TO ADJOURN LOST

The motion of Mr. Reynolds (Chambers) that the House adjourn until Friday, July 28, 1961, at ten o'clock A.M. was lost.

Yeas 39; Nays 56.

Yeas:

Messrs.	Dodd	Johnson (J. T. Tom)	Ray
Bishop	Faulk	Locke	Reynolds (Chambers)
Brannan	Franklin	Long (Perry)	Reynolds (Madison)
Brewer	Gilchrist	McClendon (Chambers)	Self
Broadfoot	Gordon	McLendon (Bullock)	Sessions
Callahan	Guthrie	Martin	Shumate
Camp	Hankins	Morrow	Smith (St. Clair)
Casey	Hearn	Oden	Speaks
Cook	Jenkins	Perry	Steagall
Copeland	Johnson (Hardaway)	Ramey	Turner

—39

Nays:

Mr. Speaker	Albea	Barnett	Bevill
Adams	Bailey	Bassett	Boyd

Britton	Goodwyn	Jones (Monroe)	Pruitt
Cabiness	Grant	Lee	Rast
Cates	Gross	McCorquodale	Rogers
Chambers	Grouby	Merrill	Rozelle
Cornett	Hain	Murphy	Salter
Daniel	Hanby	Nettles	Smith (Russell)
Dunn	Hardy	Nichols	Solomon
Engel	Harris	Oakley	Sullivan
Ferguson	Hawkins	Owens	Taylor
Gilmer	Ingram	Phillips	Thomas
Glass	Johnston (Leonard)	Pierce	Torbert
Goldthwaite	Jones (Covington)	Powell	Turnham

—56

CONSIDERATION OF H. 371 RESUMED

H. 371. To amend Section 66 of Title 8 of the Code of Alabama 1940, which relates to the means of catching game fish in the state of Alabama.

As amended, was again taken up.

And said bill, H. 371, as amended, was then read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 58; Nays 24.

Yeas:

Mr. Speaker	Dunn	Ingram	Powell
Adams	Edwards	Johnston (Leonard)	Pruitt
Bailey	Engel	Jones (Monroe)	Rast
Barnett	Faulk	Lee	Rogers
Bassett	Franklin	Locke	Rozelle
Boyd	Gilmer	McCorquodale	Salter
Brannan	Glass	McLendon (Bullock)	Sessions
Branyon	Goldthwaite	Morrow	Smith (Russell)
Britton	Goodwyn	Nettles	Smith (St. Clair)
Casey	Grant	Oakley	Steagall
Cook	Grouby	Owens	Sullivan
Copeland	Hain	Perry	Taylor
Cornett	Hanby	Phillips	Thomas
Daniel	Hankins	Pierce	Turnham
Dodd	Hardy		

—58

Nays:

Messrs.	Camp	Johnson (Hardaway)	Ray
Albea	Chambers	Johnson (J. T. Tom)	Reynolds (Chambers)
Bishop	Ferguson	Jones (Covington)	Self
Brewer	Gross	Long (Perry)	Solomon
Broadfoot	Guthrie	McClendon (Chambers)	Speaks
Cabiness	Harris	Oden	Vickers
Callahan			

—24

And the bill:

H. 373. To amend Section 60 of Title 8 of the Code of Alabama 1940, which designates game fish under the laws in this state.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 80; Nays 7.

Yeas:

Mr. Speaker	Engel	Ingram	Pierce
Adams	Faulk	Jenkins	Powell
Avery	Ferguson	Johnson (Hardaway)	Pruitt
Bailey	Franklin	Johnston (Leonard)	Rast
Bevill	Gilchrist	Jones (Covington)	Ray
Bishop	Gilmer	Jones (Monroe)	Rogers
Boyd	Glass	Lee	Rozelle
Brannan	Goldthwaite	Locke	Salter
Branyon	Goodwyn	Long (Perry)	Self
Britton	Gordon	McCorquodale	Sessions
Broadfoot	Grant	McLendon (Bullock)	Shumate
Casey	Gross	Morrow	Smith (Russell)
Cates	Grouby	Murphy	Smith (St. Clair)
Cook	Hain	Nettles	Solomon
Copeland	Hanby	Nichols	Speaks
Cornett	Hankins	Oakley	Steagall
Daniel	Hardy	Oden	Sullivan
Dodd	Harris	Owens	Taylor
Dunn	Hawkins	Perry	Thomas
Edwards	Hearn	Phillips	Turnham

90

Nays:

Messrs.	Cabiness	Camp	Johnson (J. T. Tom)
Brewer	Callahan	Guthrie	Reynolds (Chambers)

—7

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Barnett to suspend the rules in order to introduce a bill out of order was adopted.

INTRODUCTION OF BILL

The following bill was introduced, read one time and referred to appropriate standing committee, as follows:

By Messrs. Barnett and Long (Perry):

H. 1222. To provide an allowance for clerk hire and expenses for the circuit court clerk of all counties having populations of not less than 16,500 nor more than 17,500.

Local Legislation No. 1.

MOTION TO ADJOURN LOST

The motion of Mr. Sessions that the House adjourn until Friday, July 28, 1961, at ten o'clock A.M. was lost.

Yeas 39; Nays 49.

Yeas:

Messrs.	Dodd	Jenkins	Ramey
Avery	Edwards	Johnson (J. T. Tom)	Rast
Bishop	Faulk	Locke	Ray
Branyon	Franklin	Long (Lauderdale)	Reynolds (Chambers)
Brewer	Gilchrist	Long (Perry)	Reynolds (Madison)
Broadfoot	Gordon	McLendon (Bullock)	Self
Callahan	Grouby	Martin	Sessions
Camp	Guthrie	Morrow	Smith (St. Clair)
Casey	Hankins	Oden	Steagall
Cook	Hearn	Perry	Turner

—39

Nays:

Mr. Speaker	Cornett	Hanby	Phillips
Adams	Daniel	Hawkins	Pierce
Bailey	Dunn	Ingram	Pruitt
Barnett	Engel	Johnston (Leonard)	Shumate
Bassett	Ferguson	Lee	Smith (Russell)
Bevill	Gilmer	McClendon (Chambers)	Solomon
Boyd	Glass	McCorquodale	Speaks
Brannan	Goldthwaite	Merrill	Sullivan
Britton	Goodwyn	Murphy	Taylor
Cabiness	Grant	Nettles	Thomas
Cates	Gross	Nichols	Trimmier
Chambers	Hain	Oakley	Turnham
Copeland			

—49

BILLS ON THIRD READING RESUMED

SPECIAL ORDER

The House again proceeded to the consideration of the special order.

And the bill:

H. 375. (with amendment). To amend Section 87 of Title 8 of the Code of Alabama 1940, as amended by Section 1 of Act No. 665, Acts of Alabama 1949, page 1029; relating to the penalty for hunting in closed season; making the possession of freshly killed game during the closed season an offense.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Conservation, said committee amendment being as follows:

Amend the bill, H. B. 375, by striking the words "bird or animal" where the same appear in lines 5 and 7 of Section 1 of said bill and by inserting in lieu thereof the words "deer or wild turkey".

And the amendment was adopted.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Daniel	Jenkins	Pierce
Bailey	Dodd	Johnson (Hardaway)	Powell
Barnett	Dunn	Johnson (J. T. Tom)	Pruitt
Bassett	Edwards	Jones (Monroe)	Rast
Bevill	Ferguson	Locke	Ray
Bishop	Franklin	Long (Perry)	Reynolds (Madison)
Boyd	Gilchrist	McClendon (Chambers)	Rogers
Brannan	Gilmer	McCorquodale	Salter
Branyon	Glass	McLendon (Bullock)	Sessions
Brewer	Goodwyn	Martin	Smith (Russell)
Britton	Grant	Morrow	Speaks
Cabiness	Gross	Nettles	Steagall
Camp	Hain	Nichols	Sullivan
Cates	Hanby	Oakley	Taylor
Chambers	Hankins	Oden	Trimmier
Cook	Hardy	Perry	Turner
Copeland	Hearn	Phillips	Turnham
Cornett	Ingram		

—70

And said bill, H. 375, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 7.

Yeas:

Mr. Speaker	Cornett	Hearn	Powell
Adams	Daniel	Ingram	Pruitt
Bailey	Dodd	Jenkins	Rast
Barnett	Dunn	Johnson (J. T. Tom)	Reynolds (Madison)
Bassett	Edwards	Jones (Monroe)	Rozelle
Bevill	Ferguson	Locke	Salter
Bishop	Franklin	Long (Perry)	Self
Boyd	Gilchrist	McCorquodale	Sessions
Brannan	Gilmer	McLendon (Bullock)	Shumate
Branyon	Glass	Martin	Smith (Russell)
Brewer	Goldthwaite	Morrow	Solomon
Britton	Goodwyn	Nettles	Speaks
Broadfoot	Grant	Nichols	Steagall
Camp	Gross	Oakley	Sullivan
Cates	Hain	Owens	Taylor
Chambers	Hanby	Perry	Trimmier
Cook	Hankins	Phillips	Turner
Copeland	Hardy	Pierce	Turnham

—72

Nays:

Messrs.	Callahan	Guthrie	Ray
Cabiness	Casey	Oden	Reynolds (Chambers)

—7

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Lee to suspend the rules in order to introduce a bill out of order was adopted.

INTRODUCTION OF BILL

The following bill was introduced, read one time and referred to appropriate standing committee, as follows:

By Messrs. Thomas and Lee (with notice and proof):

H. 1223. To create and establish in the eastern division of Barbour County (Beats 1, 2, 4, 5, 11, 14 and 16 of Barbour County) an inferior court of limited jurisdiction of criminal cases and civil actions at law, to be known as the Court of Common Pleas of Barbour County, in lieu of the Inferior Court for Precinct Five of such county; providing for the officers of such court and for their term, powers, duties, compensation and method of selection; prescribing the jurisdiction of the court, regulating its procedure and process; fixing the costs, charges and commissions collectible in the court; and providing for the transfer of all cases pending in the Inferior Court for Precinct Five of Barbour County to the court hereby established.

Local Legislation No. 1.

Notice and Proof H. 1223:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF BARBOUR

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To create and establish in the eastern division of Barbour County (Beats 1, 2, 4, 5, 11, 14 and 16 of Barbour County) an inferior court of limited jurisdiction of criminal cases and civil actions at law to be known as the Court of Common Pleas of Barbour County, in lieu of the Inferior Court for Precinct Five of such county; providing for the officers of such court and for their term, powers, duties, compensation and method of selection; prescribing the jurisdiction of the court regulating its procedure and process; fixing the costs, charges and commissions collectible in the court; and providing for the transfer of all cases pending in the Inferior Court for Precinct Five of Barbour County to the court hereby established.

Be It Enacted by the Legislature of Alabama:

Section 1. A court of limited jurisdiction in criminal cases and civil actions at law, which shall be known as the Court of Common Pleas of Barbour County, is hereby created and established for Beats 1, 2, 4, 5, 11, 14 and 16 of said county, which said beats comprise the eastern division of said county as it was divided by Act No. 106) approved February 12, 1879 (Acts of Alabama, 1878-79, page 106), for the purpose of designating the place of trial of cases in the circuit court of such county. The court hereby created shall be in lieu of the Inferior Court for Precinct Five of Barbour County, which is hereby abolished.

Section 2. (a) Except as provided in subsection (b) of this section, the court shall have and exercise jurisdiction of all actions, causes, matters, proceedings and cases (including bastardy proceedings actions for unlawful detainer and for the recovery of possessions of land, except actions in ejectment or actions in the nature of actions in ejectment), cognizable before justices of the peace or courts created in lieu thereof. The court shall have authority to punish contempts by fine not exceeding twenty-five dollars and imprisonment for not more than twenty-four hours. It may adopt and enforce rules and regulations relative to pleading, practice, and procedure provided that such rules and regulations are not contrary to the Constitution and laws of Alabama and law-made rules governing practice and procedure in circuit courts, inferior courts, or justice of the peace courts or courts created in lieu thereof.

(b) The court shall not have the power to try persons charged with felonies, nor shall the court have jurisdiction of actions for libel or slander. It shall not have jurisdiction of any civil action when the amount in controversy exceeds one hundred dollars, nor take cognizance of any matter or proceeding in equity.

Section 3. (a) A judge of the court herein created shall be elected by the qualified electors of the eastern division of Barbour County, that is the qualified electors of Beats 1, 2, 4, 5, 11, 14, and 16 of Barbour County at the general election of 1962 and every six years thereafter. His term of office shall be for six years from the first Monday after the second Tuesday of January next succeeding his election and until his successor is elected and qualified.

(b) The judge serving as judge of the Inferior Court of Precinct Five of Barbour County shall serve as judge of the court hereby established until his successor has been elected and is qualified under this Act.

(c) The judge shall, before entering upon the discharge of the duties of his office take the oath prescribed by Section 279 of the Constitution. He may be removed from office for any cause enumerated in Section 173 of the Constitution in the manner provided by the law. No person shall be eligible to the office of the judge unless he is at the time of his appointment or election a qualified elector of Barbour County residing within the territorial jurisdiction of the court. Vacancies in the office of judge shall be filled by appointment by the Governor, and such appointee shall hold office for the unexpired term and until his successor is elected and qualified.

Before entering upon the duties of his office, the judge shall give bond in such penal sum as may be prescribed by the governing body of Barbour County payable to the county and conditioned upon the faithful

performance of the duties of his office. The bond shall be approved by and filed in the office of the probate judge of Barbour County. The premiums on the bond shall be paid out of the county treasury.

(d) The judge shall receive an annual salary of eighteen hundred dollars (\$1,800), payable out of the general fund of the county in equal monthly installments.

(e) The judge shall have authority to: (1) administer oaths and take acknowledgements; (2) issue search warrants; (3) solemnize marriages; (4) exercise such other powers, jurisdiction, or authority as may be conferred by law upon justices of the peace, including that of magistrates on preliminary examinations, or courts created in lieu of justices of the peace.

Section 4. In the event the judge of the court hereby created is for any reason disqualified from acting or is absent for any cause the parties to the cause or the judge of the circuit court of the circuit in which Barbour County is situated may appoint a suitable person to act as judge of this court in such cause or during the absence of said judge.

Section 5. The clerk of the circuit court of Barbour County shall be ex-officio clerk of the court hereby established. The fees and compensation of said clerk for the performance of his duties as clerk of this court shall be the same as is now allowed by law to clerks of the circuit courts, and shall be paid in like manner. The clerk shall, before entering upon the performance of his duties as clerk of this court, give bond as required by law.

Section 6. The terms of the court hereby established shall be attended by the sheriff of the county or his deputies or in their absence some suitable person shall be appointed by the court to act in their stead, whose compensation shall be two dollars (\$2.00) a day to be paid out of the county treasury.

Section 7. The court shall be held, and the office of the judge shall be kept in the City of Eufaula. Regular terms of said court shall be held on the first and third Mondays in each month and the court may continue in session until the business of the court is disposed of; provided, however, the judge may call a special term of said court whenever in his judgment it is deemed best.

Section 8. All prosecutions instituted in the court hereby established shall be begun upon affidavit and warrant, and shall be tried by the judge without a jury. The judge shall determine both the law and the facts and in cases of conviction the defendant shall have the right to appeal to the circuit court, where the trial will be de novo, and a jury trial may there be had, on demand of the defendant, as prescribed by law.

Section 9. A party aggrieved or desiring to bring a charge of misdemeanor before the court hereby created may apply to the judge or the clerk thereof for a warrant of arrest; and, upon the making of affidavit in writing that he has probable cause for believing, and does believe that an offense has been committed in said county, the judge or the clerk of said court shall examine the affiant under oath, and other witnesses if he so desires, touching the offense charged in the affidavit, and if the judge or the clerk has probable cause for believing that the offense alleged in the

affidavit has been committed, he shall issue his warrant of arrest. The form of the warrant of arrest shall be as prescribed by Section 328, Title 13 Code of Alabama 1940. The sheriff or any constable of the county may execute the warrant and bring the defendant before the court, and may also summons the witnesses and serve all other process.

Section 10. The proceedings in the court hereby created shall be governed by the same regulations and be subject to the same limitations as proceedings in justice of the peace courts in accordance with the general laws of this state relating to such justice courts.

Section 11. (a) For their attendance upon the court witnesses shall be entitled to the same fees and allowances prescribed by law for witnesses in courts of justices of the peace, which fees and allowances shall be taxed, collected and paid in the same manner as such fees and allowances are taxed and paid in justice courts.

(b) In addition to fees for witnesses the court shall have authority to tax costs and commissions for the use of officers of the county as follows: (1) in each civil action at law the same as in justice courts; (2) in each criminal case, the same as in justice courts.

Section 12. The Inferior Court for Precinct Five of Barbour County, created by Act No. 84, H. 403, approved February 26, 1903 (Local Acts of 1903, page 103) is hereby abolished, and all cases and actions pending therein on the effective date of this Act shall be transferred to the court herein created and shall proceed as though begun therein. As to judgments rendered by the abolished court, the new court shall have the same power of control that the abolished court had, and may issue executions and other processes thereon in all respects as though the judgments had been rendered by the court herein established.

Section 13. All laws or parts of laws in conflict with this Act are hereby repealed.

Section 14. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 15. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF BARBOUR

Before me, Mrs. J. M. Smith, a Notary Public in and for said State and County, personally appeared Joel P. Smith, who being sworn, deposes and says on oath, that he is the Publisher of THE EUFAULA TRIBUNE, a newspaper published semi-weekly in the City of Eufaula, Barbour County, Alabama, and that the foregoing attached notice A Bill to be enacted . . . to create in Barbour County an Inferior Court . . . was published in said newspaper four times, the same appearing in the issues dated: June 13, 20, 27, July 6, 1961.

JOEL P. SMITH.

Sworn to and subscribed before me this the 18th day of July, 1961.

MRS. J. M. SMITH,
Notary Public, Barbour Co., Ala.

REPORT OF THE STANDING COMMITTEE ON
RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following engrossed bill with the original bill and finds same correctly engrossed, to-wit:

H. 79. To amend Section 6, Title 27, Code of Alabama 1940, as amended, which relates to adoption by stepfather or stepmother.

VIRGIS M. ASHWORTH,
Chairman.

The above and foregoing report of the Standing Committee on Rules was concurred in and adopted.

BILLS ON THIRD READING RESUMED
SPECIAL ORDER

The House again proceeded to the consideration of the special order.

And the bill:

H. 669. To provide for assessment and collection of ad valorem taxes on motor vehicles; amending further Code of Alabama, 1940, Title 51, Section 704.

Was again taken up.

And said bill, H. 669, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 5.

Yeas:

Mr. Speaker	Brewer	Daniel	Grant
Adams	Britton	Dodd	Gross
Albea	Broadfoot	Dunn	Grouby
Avery	Cabiness	Edwards	Hain
Bailey	Camp	Faulk	Hanby
Barnett	Casey	Ferguson	Hardy
Bassett	Cates	Franklin	Harris
Bishop	Chambers	Gilmer	Hawkins
Boyd	Cook	Glass	Hearn
Brannan	Copeland	Goldthwaite	Ingram
Branyon	Cornett	Goodwyn	Jenkins

Johnson (Hardaway)	Nettles	Rast	Solomon
Johnson (J. T. Tom)	Nichols	Ray	Speaks
Jones (Covington)	Oakley	Reynolds (Madison)	Steagall
Lee	Oden	Rogers	Sullivan
Locke	Owens	Rozelle	Taylor
Long (Perry)	Perry	Salter	Thomas
McLendon (Bullock)	Phillips	Self	Torbert
Martin	Pierce	Sessions	Trimmier
Meade	Powell	Smith (Russell)	Turner
Merrill	Pruitt	Smith (St. Clair)	Turnham
Morrow	Ramey		

—86

Nays:

Messrs.	Hankins	Reynolds (Chambers)	Shumate
Guthrie	McClendon (Chambers)		

—5

And the bill:

H. 28. Relating to the furnishing of operating record by Director of Public Safety and the cost thereof, and amending Section 3 of Act No. 704, General Acts of Alabama 1951, as approved September 5, 1951.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Daniel	Jenkins	Pruitt
Adams	Dodd	Johnson (Hardaway)	Ramey
Albea	Dunn	Johnson (J. T. Tom)	Rast
Avery	Edwards	Johnston (Leonard)	Ray
Bailey	Faulk	Jones (Covington)	Reynolds (Madison)
Barnett	Ferguson	Jones (Monroe)	Rogers
Bassett	Franklin	Lee	Rozelle
Bevill	Gilchrist	Locke	Salter
Bishop	Gilmer	McClendon (Chambers)	Self
Boyd	Glass	McCorquodale	Sessions
Brannan	Goldthwaite	McLendon (Bullock)	Shumate
Branyon	Grant	Meade	Smith (Russell)
Brewer	Gross	Merrill	Smith (St. Clair)
Britton	Crouby	Morrow	Speaks
Broadfoot	Guthrie	Nettles	Steagall
Cabiness	Hain	Nichols	Sullivan
Camp	Hanby	Oakley	Taylor
Casey	Hankins	Oden	Thomas
Cates	Hardy	Owens	Torbert
Chambers	Harris	Perry	Trimmier
Cook	Hawkins	Phillips	Turner
Copeland	Hearn	Pierce	Turnham
Cornett	Ingram	Powell	

—91

And the bill:

H. 179. To provide for and regulate salaries payable to certain state officers and employees in state service, amending Code 1940, Title 41, Section 152, and repealing conflicting laws.

Was taken up.

Mr. Cabiness offered the following amendment to the bill, H. 179:

Amend House Bill 179, Section 152, paragraph "e" by striking the same therefrom.

And the amendment was lost.

Yeas 19; Nays 65.

Yeas:

Messrs.	Camp	Harris	Long (Lauderdale)
Albea	Copeland	Johnson (Hardaway)	Long (Perry)
Barnett	Dodd	Johnson (J. T. Tom)	Morrow
Brewer	Ferguson	Johnston (Leonard)	Self
Broadfoot	Guthrie	Locke	Speaks

—19

Nays:

Mr. Speaker	Daniel	Jones (Covington)	Rast
Adams	Dunn	Jones (Monroe)	Ray
Bailey	Edwards	Lee	Reynolds (Chambers)
Bassett	Franklin	McCorquodale	Roberts
Bevill	Gilchrist	McLendon (Bullock)	Rozelle
Bishop	Gilmer	Meade	Sessions
Boyd	Glass	Merrill	Smith (Russell)
Brannan	Goldthwaite	Murphy	Solomon
Branyon	Goodwyn	Nettles	Steagall
Britton	Grant	Nichols	Sullivan
Cabiness	Gross	Oden	Taylor
Callahan	Hain	Perry	Thomas
Casey	Hanby	Phillips	Torbert
Cates	Hankins	Pierce	Trimmier
Chambers	Hardy	Powell	Turner
Cook	Hawkins	Pruitt	Turnham
Cornett			

—65

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolution and House Bills herein-after mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 2:05 P. M. On July 25, 1961

H. J. R. 71.

H. 169.

H. 70.

OAKLEY MELTON, JR.,
Clerk.

ADJOURNMENT

On motion of Mr. Cabiness the House adjourned until Friday, July 28, 1961, at ten o'clock A.M.

Yeas 53; Nays 48.

Yeas:

Messrs.	Dodd	Johnson (Hardaway)	Perry
Albea	Edwards	Johnson (J. T. Tom)	Powell
Avery	Faulk	Johnston (Leonard)	Ramey
Barnett	Ferguson	Jones (Covington)	Rast
Bishop	Franklin	Jones (Monroe)	Ray
Branyon	Gross	Locke	Reynolds (Chambers)
Brewer	Grouby	Long (Lauderdale)	Self
Britton	Guthrie	Long (Perry)	Shumate
Broadfoot	Hankins	McClendon (Chambers)	Smith (St. Clair)
Cabiness	Hardy	McLendon (Bullock)	Speaks
Camp	Harris	Martin	Steagall
Casey	Hawkins	Morrow	Turner
Cook	Hearn	Oden	Vickers
Copeland	Jenkins		

—53

Nays:

Mr. Speaker	Dickson	Lee	Roberts
Adams	Dunn	McCorquodale	Rogers
Bailey	Engel	Meade	Rozelle
Bassett	Gilchrist	Merrill	Salter
Bevill	Gilmer	Murphy	Smith (Russell)
Boyd	Glass	Nettles	Solomon
Brannan	Goldthwaite	Nichols	Sullivan
Brooks	Goodwyn	Oakley	Taylor
Callahan	Grant	Phillips	Thomas
Cates	Hain	Pierce	Torbert
Cornett	Hanby	Pruitt	Trimmier
Daniel	Ingram	Reynolds (Madison)	Turnham

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TWENTY-THIRD DAY

House of Representatives
Montgomery, Alabama
Friday, July 28, 1961

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Mr. Gene Arnold, Minister, Cloverdale Church of Christ, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Dickson	Johnson (J. T. Tom)	Ramey
Adams	Dodd	Johnston (Leonard)	Rast
Albea	Dunn	Jones (Covington)	Ray
Avery	Edwards	Jones (Monroe)	Reynolds (Chambers)
Bailey	Engel	Lee	Reynolds (Madison)
Barnett	Ferguson	Locke	Roberts
Bassett	Franklin	Long (Lauderdale)	Rogers
Bevill	Gilchrist	Long (Perry)	Rozelle
Bishop	Gilmer	McClendon (Chambers)	Salter
Boyd	Glass	McCorquodale	Self
Brannan	Goldthwaite	McLendon (Bullock)	Sessions
Branyon	Goodwyn	Martin	Shumate
Brewer	Gordon	Meade	Smith (Russell)
Britton	Grant	Merrill	Smith (St. Clair)
Broadfoot	Gross	Morrow	Solomon
Brooks	Grouby	Murphy	Speaks
Cabiness	Guthrie	Nettles	Steagall
Callahan	Hain	Nichols	Sullivan
Camp	Hankins	Oakley	Taylor
Casey	Hardy	Oden	Thomas
Cates	Harris	Owens	Torbert
Chambers	Harvey	Perry	Trimmier
Cook	Hawkins	Phillips	Turner
Copeland	Hearn	Pierce	Turnham
Cornett	Ingram	Powell	Vickers
Daniel	Johnson (Hardaway)	Pruitt	

A quorum was present.

—103

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bill, your signature thereto is requested:

S. 469. To amend further Code of Alabama 1940, Title 1, Section 14, which relates to the reclassification date for laws based on population.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title to which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 56. Relating to counties having a population of not less than seventeen thousand eight hundred (17,800) nor more than eighteen thousand seven hundred (18,700) inhabitants according to the 1960 or any subsequent decennial census of the United States; providing for the compensation of members of jury commissions in such counties.

Also:

H. 255. To propose a constitutional amendment relative to levying additional taxes in Choctaw County for public school purposes.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 511. To repeal Act No. 469, H. 1067, approved November 13, 1959, entitled, "An Act relating to counties having a population of not less than 75,000 nor more than 93,000 inhabitants; to authorize county governing bodies to provide for payment of expenses of certain county officers" (Acts of Alabama 1959, vol. 2, p. 1164).

Also:

H. 512. To alter, rearrange and extend the boundaries and corporate limits of the City of Oxford, Calhoun County, Alabama, so as to annex certain territory to the city.

Also:

H. 513. Relating to counties having a population of not less than 76,000 nor more than 96,000 inhabitants; to authorize county governing bodies to provide for payment of expenses of certain county officers.

Also:

H. 429. To alter, extend and rearrange the corporate limits of the City of Mountain Brook, in the County of Jefferson, and State of Alabama,

by the inclusion within the corporate limits of said City certain additional territory now or formerly included within the City of Birmingham.

Also:

H. 515. To regulate the compensation of county superintendents of education in all counties having populations of not less than 10,800 nor more than 12,000, according to the 1960 or any subsequent federal decennial census, and provide for payment thereof.

Also:

H. 565. Proposing an amendment to the Constitution of Alabama relative to economic development of Greene County.

Also:

H. 576. To repeal Act No. 645, H. 1100, approved September 20, 1957 (Acts of Alabama 1957, Volume II, p. 976).

Also:

H. 578. To repeal Act No. 553, H. 960, approved August 28, 1951, an act providing for meetings of the Board of Registrars in certain counties (Acts of Alabama 1950-1951, vol. II, p. 970).

Also:

H. 579. Relating to registration of voters; providing for meeting days of board of registrars in counties of 110,000 to 160,000 population according to the 1960 or any subsequent decennial census; and providing for clerical assistants to be furnished to the board by county and city government.

Also:

H. 580. To repeal Act No. 239, S. 376, approved July 19, 1951, entitled, "An Act relating to the registration and purgation of voters in counties having a population of not less than 64,000 nor more than 79,000 inhabitants, and providing for meetings and procedures of the Board of Registrars for the purpose of registering voters and purging the registration lists in such counties," (Acts of Alabama 1951, vol. I, p. 514).

Also:

H. 581. To provide that the judges of probate of all counties having a population of not less than 110,000 nor more than 160,000 according to the last or any subsequent federal decennial census, shall not collect fees for: (1) filing a claim against an estate and giving a receipt therefor, (2) attesting a satisfaction of a mortgage or vendor's lien, (3) approving, filing and recording an official bond, (4) filing and recording deeds or conveyances to the county, and (5) administering an affidavit.

Also:

H. 582. To repeal Act No. 223, H. 332, approved July 17, 1951, entitled "An Act To prescribe the qualifications, duties, and to impose additional duties, and fix the compensation of the coroner in all counties of the state having a population of not less than 80,000 and not more than 135,000 people, according to the last Federal Census, or which hereafter may have

such a population according to any such census that may hereafter be taken," (Acts of Alabama 1950-51, vol. I, p. 497).

Also:

H. 583. To repeal Act No. 692, S. 617, approved September 5, 1951, entitled "An Act Relating to counties having a population of not less than ninety-three thousand nine hundred nor more than one hundred thirty-seven thousand inhabitants; increasing the jurisdiction of the inferior court of such counties and providing additional compensation for the judge thereof for the performance of the additional duties resulting from such increased jurisdiction," (Acts of Alabama 1950-1951, vol. II, p. 1193).

Also:

H. 584. To repeal Act No. 210, S. 319, approved June 22, 1943, entitled "An Act To designate the time in each year when the Board of Registrars shall sit for the purpose of registering voters in all counties having a population of not less than 100,000 nor more than 140,000 population according to the last or any succeeding Federal census; to provide that said sessions shall be in lieu of all other sessions now authorized by law and to repeal all laws or parts of laws in conflict herewith," (Acts of Alabama 1943, p. 187).

Also:

H. 585. To repeal Act No. 528, H. 992, approved September 2, 1949, entitled "An Act Creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 100,000 people and not more than 140,000 people and for municipalities in such counties having a population of 5,000 or more people, all according to the last or any subsequent Federal Census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provisions of the act; and repealing all laws or parts of laws inconsistent with the provisions hereof" (Acts of Alabama 1949, page 819), and all acts amendatory thereof.

Also:

H. 586. To amend further Section 30½ of the act approved September 20, 1957, regulating the practice of cosmetology (Act No. 653, H. 489, Acts of 1957, vol. II, p. 981).

Also:

H. 587. To authorize the appointment of two additional deputies sheriff in counties having populations of not less than 27,000 nor more than 30,000 inhabitants, and to provide for their compensation.

Also:

H. 588. To repeal Act No. 281, H. 302, approved July 26, 1951, entitled "An Act To authorize the appointment of two additional deputies sheriff in counties having populations of not less than 29,400 nor more than 30,500 inhabitants, and to provide for their compensation" (Regular Session 1951, vol. I, p. 567).

Also:

H. 589. To repeal Act No. 35, H. 40, approved March 29, 1955, an act providing for a clerk for the Clerk of the Circuit Court of certain counties, (Acts of Alabama 1955, vol. I, p. 142).

Also:

H. 590. To repeal Act No. 38, H. 35, approved February 18, 1955, entitled "An Act Relating to counties with populations of not less than 29,350 nor more than 30,350 inhabitants: to provide a clerk for the tax collector and tax assessor of such counties, fixing the salaries of each of such clerks and the method of payment of such salaries out of the general funds of such counties" (Acts of Alabama 1955, vol. I, p. 60).

Also:

H. 599. To repeal Act No. 269, H. 637, Regular Session 1959, entitled "An Act to apply in all counties having a population of not less than 25,725 nor more than 25,875, according to the last or any subsequent federal decennial census; providing for the compensation of the chief clerk of the judge of probate in every such county," (Acts of Alabama 1959, vol. I, p. 833).

Also:

H. 600. To repeal Act No. 456, H. 971, approved November 13, 1959, entitled, "An Act to prohibit the taking of fish from the public waters of all counties having a population of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census, with hoop and fyke nets, gill nets, trammel nets, or any other kind of commercial fishing gear except setlines, trotlines, and snaglines; repealing conflicting laws" (Acts of Alabama 1959, vol. 2, p. 1147).

Also:

H. 601. To prohibit the taking of fish from the public waters of all counties having a population of not less than 57,000 nor more than 61,000, according to the 1960 or any subsequent federal decennial census, with hoop and fyke nets, gill nets, trammel nets, or any other kind of commercial fishing gear except setlines, trotlines, and snaglines; repealing conflicting laws.

Also:

H. 603. To repeal Act No. 69, H. 318, Regular Session 1945, approved June 7, 1945 (General Acts of Alabama 1945, p. 66), entitled "An Act To authorize the employment, in their discretion, by municipalities in Alabama having a population of not less than fifteen thousand and not more than eighteen thousand, according to the last or any succeeding Federal census, of a City Manager; and to provide for the authority, duties, liabilities and penalties, the term of office and the compensation of City Managers so employed."

Also:

H. 605. To alter, re-arrange, and extend the boundary lines and corporate limits of the town of Sumiton in Walker County.

Also:

H. 573. To alter, rearrange and extend the corporate limits of the Town of Sulligent, Lamar County, Alabama.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 164. To provide for and regulate the compensation of county engineers of all counties having populations of not less than 22,350 nor more than 24,350, according to the last or any subsequent federal decennial census.

Also:

H. 166. To provide clerical assistance for clerks of circuit courts of all counties having populations of not less than 22,350 nor more than 24,350, according to the last or any subsequent federal decennial census.

Also:

H. 165. To apply in all counties having a population of not less than 22,350 nor more than 24,350, according to the last or any subsequent federal decennial census; providing for the compensation of the chief clerk of the judge of probate in every such county.

Also:

H. 167. To authorize and direct the board of education of any county having a population of not less than 22,350 nor more than 24,350, according to the last or any subsequent federal decennial census, to reimburse the county superintendent of education any sums expended by him in payment of premiums on surety bonds covering certain employees of the board of education.

Also:

H. 225. To repeal Act No. 115, S. 87, First Special Session 1956, approved February 14, 1956 (Acts of Alabama, Special Sessions 1956, p. 172), entitled "An Act Relating to counties having a population of not less than 63,750 people, nor more than 68,000 people, according to the last Federal decennial census or any subsequent Federal decennial census; providing for the nomination and election and terms of office of the members and chairman of the County Board of Education."

Also:

H. 226. To repeal Act No. 98, S. 148, Regular Session 1955, approved June 29, 1955 (Acts of Alabama 1955, vol. I, p. 343), entitled "An Act To fix the compensation of the superintendent of education in all counties having a population of not less than 63,750 nor more than 72,750 inhabitants, according to the last or any subsequent federal decennial census."

Also:

H. 253. To repeal Act No. 240, H. 632, approved September 30, 1959, entitled, "An Act to provide for the payment of an expense allowance to members of the board of revenue, court of county commissioners, or other like governing body of all counties having a population of not less than 17,650 nor more than 18,000, according to the last or any subsequent federal decennial census" (Acts of Alabama 1959, vol. I, p. 789).

Also:

H. 254. To provide for the payment of an expense allowance to members of the board of revenue, court of county commissioners, or other like governing body of all counties having a population of not less than 14,300 nor more than 14,800, according to the last or any subsequent federal decennial census.

Also:

H. 274. To repeal Act No. 75, H. 63, First Special Session 1959, entitled "An Act Relating to cities having a population of not less than 20,000 nor more than 22,500 inhabitants, according to the last or any subsequent federal decennial census, and operating under the commission form of government provided for by Article 1, Chapter 4, Title 37, Code of Alabama (1940), as amended; providing for and prescribing the form of government for all such cities; and prescribing penalties for violations of certain provisions of the act."

Also:

H. 275. To provide for and prescribe the form of government of all cities having populations of not less than 30,000 nor more than 31,500.

Also:

H. 313. To repeal Act No. 503, H. 1031, Regular Session 1959, approved November 19, 1959 (Acts of Alabama 1959, vol. II, p. 1237), entitled "An Act Providing further for the election and organization of the council in all cities having a population of not less than 14,000 nor more than 19,000, according to the last or any subsequent federal decennial census, and operating under the mayor-council form of government; providing for the election of councilmen by place and number; and prescribing additional qualifications for candidates seeking election to such council."

Also:

H. 315. To repeal Act No. 391, S. 411, Regular Session 1957, approved September 4, 1957 (Acts of Alabama 1957, vol. I, p. 532), entitled "An Act Authorizing counties having a population of not less than 65,000 nor more than 75,000, according to the last or any subsequent federal decennial census, and the municipalities within such counties, either singly or jointly, to create Airport Authority Boards; providing for the selection of the members of such boards, and prescribing their qualifications, terms, and compensation; and providing for the organization, jurisdiction, powers, and duties of such boards."

Also:

H. 316. To repeal Act No. 80, H. 70, First Special Session 1959, ap-

proved February 24, 1959 (Acts of Alabama 1959, vol. I, p. 143) and Act No. 93, S. 26, First Special Session 1959, approved February 24, 1959 (Acts of Alabama 1959, vol. I, p. 153), both of which Acts are entitled "An Act To provide that the judges of probate of all counties having a population of not less than 65,000 nor more than 75,000 according to the last or any subsequent federal decennial census, shall not collect fees for: (1) filing a claim against an estate and giving a receipt therefor, (2) attesting a satisfaction of a mortgage or vendor's lien, (3) approving, filing and recording an official bond, (4) filing and recording deeds or conveyances to the county, and (5) administering an affidavit."

Also:

H. 318. To repeal Act No. 70, H. 229, Regular Session 1955, approved June 21, 1955 (Acts of Alabama 1955, vol. I, p. 308), entitled "An Act To apply in all counties having a population of not less than 65,000 nor more than 75,000 inhabitants, according to the last or any subsequent federal decennial census: To permit any bank having a combined capital and surplus of one hundred thousand dollars or more, and having an authorized office or place of business in any city or town in any such county, to establish, maintain, and operate additional offices or places of business in such county, upon obtaining the approval of the Superintendent of Banks."

Also:

H. 314. To repeal Act No. 273, S. 269, Regular Session 1953, approved August 5, 1953 (Acts of Alabama 1953, vol. I, p. 341), entitled, "An Act To apply in but only in counties having a population of not less than 65,000 nor more than 78,000 inhabitants, according to the last or any subsequent federal decennial census; providing for the destruction of certain records of officers of such counties."

Also:

H. 325. To fix the compensation of the deputies and other assistants to the sheriffs in counties having populations of not less than 51,000 nor more than 56,000 inhabitants, according to the last or any subsequent federal census.

Also:

H. 326. To amend further Section 187 of Title 13, Code of Alabama 1940, in relation to the appointment and compensation of bailiffs in certain counties classified according to population.

Also:

H. 330. To amend the title and Section 1 of Act No. 98, S. 148, approved June 29, 1955 (Acts of Alabama 1955, vol. I, p. 343), an act relating to the fixing of compensation of the superintendent of education in all counties having populations of not less than 63,750 nor more than 72,750.

Also:

H. 331. To amend the title and Section 1 of Act No. 461, H. 984, approved September 9, 1955 (Acts of Alabama 1955, vol. II, p. 1051), an act relating to the exemption of purchases of medical, surgical and hospital supplies from any system of competitive bidding in all counties having populations of not less than 63,700 nor more than 70,000.

Also:

H. 333. To fix the compensation of jury commissions in all counties having populations of not less than 51,000 nor more than 56,000.

Also:

H. 335. To amend the title and Section 1 of Act No. 223, H. 702, approved August 8, 1955 (Acts of Alabama 1955, vol. I, p. 532), an act authorizing the clerk of the circuit court to issue warrants in criminal cases in all counties having populations of not less than 63,750 nor more than 72,750.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 400. To repeal Act No. 428, H. 866, approved August 27, 1953, an act relating to the appointment, compensation, duties and authority of deputy circuit solicitors in certain counties classified on a population basis (Acts of Alabama 1953, vol. I, p. 528).

Also:

H. 399. To fix the compensation of the coroner in any county in Alabama having a population of not less than 96,000 nor more than 106,000 according to the last or any subsequent decennial federal census.

Also:

H. 398. To relieve certain county officials of the duty of visiting voting places and precincts in the performance of their official duties; to apply in but only in counties having a population of not less than 96,000 nor more than 106,000 according to the most recent federal census.

Also:

H. 397. To repeal Act No. 228, H. 338, approved July 17, 1951, an act relating to relief of certain county officials of the duty of visiting voting places and precincts in the performance of their official duties in certain counties classified on a population basis (Acts of Alabama 1950-1951, vol. I, p. 500).

Also:

H. 396. Providing further for the operation of the county board of equalization of each county having a population of not less than 96,000 nor more than 106,000, according to the last or any subsequent federal decennial census; further regulating the term of service, compensation, and expense allowance of the members of the board; making further provision in regard to the office space and office fixtures and supplies of the board; and providing for the employment of a secretary-appraiser by the board and other employees of the board.

Also:

H. 243. For the relief of Leonard Channell, authorizing and requiring the county governing body of Tuscaloosa County, Alabama, to make an appropriation from the county treasury to compensate the said Leonard Channell for certain damages.

Also:

H. 151. Relating to counties having a population of not less than 115,000 nor more than 165,000 inhabitants, according to the 1960 or any subsequent federal decennial census, electing to come under the provisions of the Act as provided therein; providing a more convenient and efficient method for the registration, assessment for taxes, collection of ad valorem taxes, and sale and distribution of tags for motor vehicles, the issuance of motor vehicle drivers licenses and temporary instruction permits, and the transfer of ownership of motor vehicles; creating a motor vehicle license department in each county to which this Act is made to apply as herein provided and providing for the appointment, qualification, terms, compensation, powers, duties, and authority of the director and deputy director thereof; transferring to the motor vehicle license department, and the director thereof, all the powers, duties, responsibilities, liabilities and authority of the tax assessor, tax collector, and judge of probate relative to the registration, assessment for taxes, collection of ad valorem taxes, sale and distribution of tags for motor vehicles, the issuance of motor vehicle drivers licenses and temporary instruction permits, the transfer of ownership of motor vehicles, and the distribution of the fees, charges and commissions collected and received therefrom; providing an additional and alternative method for the registration, assessment for taxes, collection of ad valorem taxes, and sale and distribution of tags for motor vehicles; providing for clerical assistance, office space, equipment, supplies, and other conveniences necessary for the efficient operation and conduct of the motor vehicle license department; providing for the method by which a county to which this Act applies can elect to come within the provisions of said Act and the effective date thereof; providing the method by which a county may withdraw from the provisions of this Act and the effective date of withdrawal; and the abolishing of all laws and parts of laws in conflict with said Act.

Also:

H. 652. To alter or rearrange the boundary line of the Town of Hanceville, Cullman County, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Also:

H. 401. To prohibit the probate judge in all counties having a population of not less than 96,000 and not more than 106,000 from charging or collecting any fee or compensation for administering an oath or taking or acknowledging an affidavit; and repealing conflicting laws.

Also:

H. 402. To repeal Act No. 423, H. 867, approved August 27, 1953, an act fixing the compensation of the coroner in certain counties classified on a population basis (Acts of Alabama 1953, vol. I, p. 524).

Also:

H. 403. To provide for the appointment of deputy circuit solicitors for all counties having populations of not less than 96,000 nor more than 106,000, according to the last or any subsequent federal decennial census, regulating their compensation and prescribing their duties and authority.

Also:

H. 404. To repeal Act No. 314, S. 322, which became an act on August 31, 1955 without approval of the Governor, an act relating to the feeding of prisoners in jail in certain counties classified on a population basis (Acts of Alabama 1955, vol. II, p. 714).

Also:

H. 405. To repeal Act No. 478, H. 1070, approved November 19, 1959, an act relating to the compensation of special bailiffs in the circuit courts of certain counties classified on a population basis (Acts of Alabama 1959, vol. II, p. 1197).

Also:

H. 406. To repeal Act No. 714, H. 1148, approved September 20, 1957 (Acts of Alabama 1957, vol. II, p. 1110), Act No. 737, S. 548, approved September 20, 1957 (Acts of Alabama 1957, vol. II, p. 1158), as amended both of which acts provide further for the operation of the county board of equalization in certain counties classified on a population basis, and all acts amendatory thereof.

Also:

H. 407. To authorize the county governing bodies of all counties having populations of not less than 96,000 nor more than 106,000 according to the last or any future regular decennial federal census to provide for the use of paper ballots or ballot boxes as well as voting machines at voting places in the county where voting machines are used, at any primary, municipal or general election.

Also:

H. 408. To repeal Act No. 294, H. 813, approved August 26, 1955, an act providing an assistant coroner for certain counties classified on a population basis (Acts of Alabama 1955, vol. I, p. 690).

Also:

H. 409. To regulate further the county courts of all counties having a population of not less than 96,000 nor more than 106,000, according to the last or any subsequent federal decennial census.

Also:

H. 410. To repeal Act No. 296, H. 521, approved August 5, 1953, an act regulating the compensation of members and clerks of jury commissions in certain counties classified on a population basis (Acts of Alabama 1953, vol. I, p. 358).

Also:

H. 411. Relating to the issue and return of executions in justice of the peace courts, or other courts of like jurisdiction, in counties having a population of not less than 96,000 inhabitants nor more than 106,000 inhabitants according to the last or any subsequent decennial census of the United States.

Also:

H. 412. To repeal Act No. 458, H. 877, approved September 9, 1955, an act authorizing chief clerks and assistant clerks in the circuit court and a chief clerk in the county court of each of certain counties classified on a population basis (Acts of Alabama 1955, vol. II, p. 1045).

Also:

H. 413. To provide for the appointment and tenure and number, and fixing the compensation, of bailiffs for circuit courts of Alabama in circuits having two circuit judges composed of one county having populations of not less than 96,000 people nor more than 116,000 people according to the last or any subsequent federal decennial census.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 336. To amend the title and Section 1 of Act No. 463, H. 986, approved September 9, 1955 (Acts of Alabama 1955, vol. II, p. 1053), an act relating to the territorial limits of the police jurisdiction outside the corporate limits of cities in all counties having populations of not less than 63,750 nor more than 72,750.

Also:

H. 338. To repeal Act No. 667, H. 1134, approved September 20, 1957, (Acts of Alabama 1957, vol. II, p. 1012), an act regulating the compensation of the members of the county board of education in counties having populations of not less than 53,000 nor more than 56,000.

Also:

H. 339. To repeal Act No. 115, S. 87, approved February 14, 1956, First Special Session 1956 (Acts of Alabama 1956, p. 172), an act relating to the election of the chairman and members of the county board of education in all counties having populations of not less than 63,750 nor more than 68,000, and to repeal Act No. 44, S. 33, approved March 28, 1956, Second Special Session 1956 (Acts of Alabama 1956, p. 337), an act relating to the election of the chairman and members of the county board of education of Walker County.

Also:

H. 340. To amend the title and Section 1 of Act No. 486, H. 944, ap-

proved September 10, 1957 (Acts of Alabama 1957, vol. I, p. 670), an act providing further for paid leaves of absence for certain employees of counties having populations of not less than 63,750 nor more than 72,750.

Also:

H. 342. To amend the title and Section 1 of Act No. 686, H. 1094, approved September 20, 1957 (Acts of Alabama 1957, vol. II, p. 1037), an act further defining the police jurisdiction of certain incorporated municipalities situated in counties having populations of not less than 63,750 nor more than 72,750.

Also:

H. 343. To repeal Act No. 82, H. 324, approved June 24, 1959 (Acts of Alabama 1959, vol. I, p. 491), an act relating to the regulation of barbers and barber colleges in all counties having populations of not less than 53,000 nor more than 56,000.

Also:

H. 344. To provide that the county governing bodies in all counties having populations of not less than 51,000 nor more than 56,000 be authorized and empowered in their discretion to pay each employee of such counties employed by the county governing body of any such county, at the rate of his regular daily wage or salary, during the time that such employee is sick or ill or unable to work. Provided, however, no such employee shall be paid for more than ten days' time in the aggregate during any one calendar year in which he is unable to work on account of sickness or illness.

Also:

H. 345. To apply in all counties having populations of not less than 51,000 nor more than 56,000; providing for the payment of salaries to coroners, prescribing additional duties for coroners, fixing their compensation, providing for the payment thereof, authorizing and directing the county governing body in each such county to provide the coroner with office space, certain equipment, furniture, supplies and services at the expense of the county; superseding and expressly repealing Act No. 433, H. 638, approved July 6, 1945 (General Acts of Alabama 1945, p. 679), Act No. 442, H. 935, approved August 23, 1949 (Acts of Alabama 1949, p. 651), Act No. 222, H. 680, approved August 8, 1955 (Acts of Alabama 1955, vol. I, p. 532) and Act No. 654, H. 1049, approved September 20, 1957 (Acts of Alabama 1957, vol. II, p. 996).

Also:

H. 364. Authorizing the establishment of branch banks in counties having populations of not less than 76,000 nor more than 96,000.

Also:

H. 365. To amend the title and Section 1 of Act No. 492, S. 414, approved September 10, 1957 (Acts of Alabama 1957, vol. I, p. 681), relating to immediate operation of the laws and ordinances of any city or town as to territory annexed to such city or town in counties having a population of not less than 75,000 nor more than 90,000.

Also:

H. 368. To provide clerk-hire allowances for certain officers of all counties having populations of not less than 75,000 nor more than 96,000; to authorize the county governing bodies in said counties to provide clerk-hire allowances for the offices of Judge of Probate, Sheriff, Tax Collector, Tax Assessor, Clerk and Register of the Circuit Court, and Solicitor of the Seventh Judicial Circuit; superseding and expressly repealing Act No. 544, S. 481, approved September 9, 1953 (Acts of Alabama 1953, vol. II, p. 758) and Act No. 66, H. 55, approved February 7, 1956 (Acts of Alabama 1956, p. 99).

Also:

H. 384. Relating to counties having populations of not less than 96,000 nor more than 106,000 inhabitants; providing for the furnishing of equipment, supplies, clerks, deputies and other assistants for certain county officers in such counties.

Also:

H. 385. Relating to counties having a population of not less than 96,000 nor more than 106,000 inhabitants, according to the last or any subsequent federal decennial census; authorizing the governing body of every such county to purchase such uniforms as the governing body deems necessary for the use of the uniformed personnel, deputies and other employees of the sheriff of the county.

Also:

H. 386. To repeal Act No. 635, H. 479, approved September 15, 1953, an act relating to the issue and return of executions in justice of the peace courts or other courts of like jurisdiction in certain counties classified on a population basis (Acts of Alabama 1953, vol. II, p. 890).

Also:

H. 388. Relating to counties having a population of not less than 96,000 nor more than 106,000 inhabitants, according to the last or any subsequent federal decennial census, authorizing the governing body of every such county to provide for a chief clerk and assistant chief clerk in the circuit court and for a chief clerk in the county court of the county.

Also:

H. 389. Relating to counties having a population of not less than 96,000 nor more than 106,000 inhabitants, according to the 1960 or any subsequent federal decennial census; regulating the compensation of members and clerks of jury commissions in such counties.

Also:

H. 390. To repeal Act No. 499, S. 542, approved August 22, 1951, an act providing for the furnishing of equipment, supplies, clerks, deputies and other assistants for certain county officers in certain counties classified on a population basis.

Also:

H. 391. To provide for the compensation of special bailiffs in the

circuit courts of all counties having a population of not less than 96,000 nor more than 106,000, according to the most recent federal decennial census.

Also:

H. 392. To repeal Act No. 738, S. 387, approved September 20, 1957, an act regulating further the purchasing practices of certain counties classified on a population basis (Acts of Alabama 1957, vol. II, p. 1159).

Also:

H. 393. To repeal Act No. 27, S. 22, approved March 23, 1956, an act regulating further the county courts of certain counties classified on a population basis (Acts of Alabama Special Sessions 1956, p. 297).

Also:

H. 394. To provide an assistant coroner for counties having a population of not less than 96,000 nor more than 106,000 inhabitants according to the last or any subsequent federal census.

Also:

H. 395. To repeal Act No. 445, H. 139, approved August 17, 1951, an act authorizing the county governing bodies of certain counties classified on a population basis to provide for the use of paper ballots or ballot boxes as well as voting machines (Acts of Alabama 1950-1951, vol. I, p. 798).

Also:

H. 955. To direct and require the commissioner of revenue and the state department of revenue to collect any sales and use taxes now or hereafter levied in the City of Dadeville, Tallapoosa County, Alabama, and its police jurisdiction, under the provisions of any ordinance or resolution duly promulgated and adopted by the governing body of said city; to prescribe powers, duties and authority of the commissioner of revenue, the state department of revenue, and the comptroller with respect to the method of procedure for collecting such taxes and remitting the proceeds thereof.

Also:

H. 414. To repeal Act No. 109, H. 362, approved June 30, 1955, an act relating to authorization of the purchase of uniforms for certain employees of the sheriff in certain counties classified on a population basis (Acts of Alabama 1955, vol. I, p. 354).

Also:

H. 415. To repeal Act No. 134, H. 524, approved July 12, 1957, an act relating to appointment, tenure, number and compensation of bailiffs in certain circuits composed of one county classified on a population basis (Acts of Alabama 1957, vol. I, p. 182).

Also:

H. 416. To repeal Act No. 232, H. 333, approved July 17, 1951, an act to prohibit the probate judge in certain counties classified on a population

basis from charging certain fees or compensation (Acts of Alabama, vol. I, p. 502).

Also:

H. 417. To regulate further the purchasing practices of counties having a population of not less than 96,000 nor more than 106,000, according to the last or any subsequent federal decennial census.

Also:

H. 424. To repeal Act No. 444, H. 924, approved November 13, 1959, entitled "An Act to provide for payment by the county of expenses incurred in the operations of the office of county superintendent of education, county commissioner of education, commissioner of public instruction, commissioner of public schools, or other like officer of all counties having a population of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census" (Acts of Alabama 1959, vol. II, p. 1134).

Also:

H. 440. To amend the title and Section 1 of Act No. 491, S. 413, approved September 10, 1957 (Acts of Alabama 1957, vol. I, p. 678), an Act further regulating the alteration and extension of the corporate limits and boundaries of incorporated municipalities in counties having populations of not less than 75,000 nor more than 90,000.

Also:

H. 441. To amend the title and Section 1 of Act No. 203, H. 543, approved September 30, 1959, entitled "An Act To provide for the appointment of a part-time clerk by the sheriff of any county having a population of not less than 35,500 nor more than 38,500, according to the last or any subsequent federal decennial census, whose compensation shall be paid by the county" (Acts of Alabama 1959, vol. I, p. 738).

Also:

H. 442. To regulate the compensation of members of the county board of education of Lauderdale County, superseding and repealing Act No. 667, H. 1134, approved September 20, 1957 (Acts 1957, vol. II, p. 1012), which regulates the compensation of the members of the county board of education in counties having a population of not less than 53,000 nor more than 56,000 inhabitants.

Also:

H. 443. To provide for compensating the coroner of Lauderdale County on a salary basis, superseding and expressly repealing Act No. 654, H. 1049, approved September 20, 1957 (Acts 1957, vol. II, p. 996), which provides for the permissive change in the basis of compensating coroners of all counties having a population of not less than 53,000 nor more than 56,200 inhabitants.

Also:

H. 446. To regulate the compensation of bailiffs for the grand jury and bailiffs actually serving in court in every county having a population

of not less than 25,750 nor more than 27,000, according to the last or any subsequent decennial census of the population of the United States.

Also:

H. 447. To repeal Act No. 500, H. 935, approved September 3, 1953, which regulated the compensation of members of the jury commisison in all counties having a population of not less than 26,550 nor more than 26,900.

Also:

H. 463. To provide that the laws governing the County wide Civil Service System of Mobile County shall apply to the position of Chief Clerk, unclassified, in the office of Tax Collector of Mobile County and to provide for the person holding the position of Chief Clerk, to be placed on the employment roster of the Civil Service System of Mobile County and be placed in the proper class and salary level.

Also:

H. 476. To alter, rearrange and redefine the boundaries of the City of Decatur, in Morgan County, Alabama, and to include within the boundaries of said municipality all of the territory described therein.

Also:

H. 487. To apply in all counties having a population of not less than 65,000 nor more than 95,000, according to the last or any subsequent Federal decennial census; to better secure the enforcement of laws in such counties, to further prescribe the duties of the Sheriffs and Solicitors in the enforcement of such laws and to provide for the payment of the expenses incurred in connection therewith.

Also:

H. 490. Proposing an amendment to the Constitution of Alabama relative to the costs and charges of courts in St. Clair County and the compensation of certain officers of the county.

Also:

H. 492. To apply in all those counties in Alabama having not less than 100,000 population and not more than 115,000 population according to the latest or any subsequent Federal Decennial Census, and further regulating and prescribing the qualifications of persons engaging in the Bail Bond business in such counties.

Also:

H. 494. To amend the title and Section 1 of Act No. 21 Second Special Session 1955, approved March 23, 1955 (Acts of Alabama 1955, Vol. I, p. 130), an Act relating to the establishment of branch banks in counties having populations of not less than 94,000 nor more than 135,000.

Also:

H. 495. To amend the title and Section 1 of Act No. 441, H. 1013, approved September 6, 1957 (Acts of Alabama 1957, vol. I, p. 605), an Act further providing for municipal tax assessments for property annexed to

municipalities in counties having populations of not less than 94,000 and not more than 134,000.

Also:

H. 496. To amend the title and Section 1 of Act No. 713, H. 1145, approved September 20, 1957 (Acts of Alabama 1957, vol. II, p. 1109), an Act providing for the payment of an expense allowance to members of the county governing body, other than the chairman or president thereof, of any county having a population of not less than 94,000 nor more than 134,000.

Also:

H. 497. To amend the title and Section 1 of Act No. 683, H. 1086, approved September 20, 1957 (Acts of Alabama, 1957, vol. II, p. 1030), an Act providing further for extending the corporate limits and boundaries of incorporated municipalities in counties having populations of not less than 94,000 nor more than 135,000.

Also:

H. 58. Relating to cities which, according to the 1950 decennial census of the population of the United States, came within the purview of Act No. 214, S. 169, Acts of Alabama of 1953, page 281, approved July 21, 1953.

Also:

H. 378. Relating to cities having a commission form of government and a population of not less than 13,200 nor more than 15,600 inhabitants, according to the 1960 or any subsequent decennial census of the population of the United States; changing the time and method of electing, amending and fixing the term of office of members of the board of commissioners of any such city.

Also:

H. 55. To regulate the payment of compensation of fire wardens in counties having a population of not less than 17,800 nor more than 18,700 inhabitants, according to the last or any subsequent federal decennial census.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 148. To authorize the incorporation in any municipality in this state of one or more public corporations for the primary purpose of providing public hospital facilities for lease to the respective municipalities in which such corporations are organized; to provide for the election of the directors and officers of each such corporation; to specify its powers and capacities, including the exercise of the power of eminent domain; to authorize such corporation and the municipality in which it is organized to

enter into leases covering projects of such corporation and to specify requirements respecting such leases; to provide that the rentals payable and the obligations created by such municipality in any such lease shall be general obligations of the municipality for which its full faith and credit may be pledged but shall be payable solely out of the current revenues of the municipality for the fiscal year during which such rents are payable and during which such agreements are required to be performed; to authorize such municipality to make a special pledge of certain revenues and taxes as security for rentals payable and agreements to be performed by it under such lease; to provide the priority of any such special pledge; to authorize the sale and issuance by such corporation of interest bearing revenue bonds payable solely out of the revenues from the project with respect to which they are issued; to specify provisions of said bonds and to declare them to be negotiable instruments; to authorize the issuance of refunding revenue bonds; to provide that such bonds shall be secured by a pledge of the revenues out of which they shall be payable and by a pledge of the lease from which the revenues so pledged shall be derived, and may be secured by a nonforeclosable mortgage on the project from which the revenues so pledged shall be derived; to specify the use to which the proceeds of said bonds may be put; to provide for remedies in the event of any default in any such bonds or under any such lease; to authorize the investment of funds of the corporation not presently needed; to exempt from taxation the properties of the corporation and the income therefrom, the said leases, the said bonds and the income therefrom, and the said mortgages; to provide that said bonds shall be legal investments for fiduciaries, savings banks and insurance companies; to authorize the investment of idle and surplus funds of the municipality in said bonds; to authorize the publication of notice of the adoption of the resolution authorizing said bonds and providing a short statute of limitations for the institution of actions and the making of defenses respecting the validity of said bonds, pledge, mortgage and lease; to authorize the conveyance to said corporation, with or without monetary consideration, of properties owned by the municipality whether or not necessary for the conduct of governmental or other public functions of the municipality; to provide for the vesting in the municipality of title to each project of said corporation upon payment of all bonds issued with respect to such project; and to provide for the dissolution of said corporation.

Also:

H. 740. To amend further Act No. 18, S. 2, approved May 18, 1951, an act creating and establishing the Board of Revenue of Lawrence County (Acts of Alabama 1950-1951, vol. I, p. 220), in relation to the powers and duties of the board and the members and chairman thereof.

Also:

H. 98. To amend Section 12 of Act No. 515, Acts of Alabama 1945, p. 734, approved July 9, 1945, as amended, entitled "An Act To establish an employees' retirement system; to determine membership and conditions of membership in said system; to provide for a board of control of said system and for the administration of its affairs; to provide for officers and a medical board and to define their duties; to provide for the adoption of mortality; service and other actuarial tables as may be deemed necessary; to provide for the management of the funds of the said system; to provide a method of financing said system; and to provide an appropriation to carry out the provisions of the Act.

Also:

H. 732. Proposing an amendment to the Constitution relating to levying special taxes and the issuance of bonds in Washington County for public buildings.

Also:

H. 48. For the relief of W. H. Rogers and to authorize and direct the Court of County Commissioners of Butler County, Alabama, to reimburse the said W. H. Rogers the sum of FOUR HUNDRED SEVENTY-ONE DOLLARS AND FORTY-TWO CENTS (\$471.42) for excess charges for a cattle pass constructed under a public road in Butler County, Alabama.

Also:

H. 49. For the relief of Motor Service Company and to authorize and direct the Court of County Commissioners of Butler County, Alabama, to pay to the said Motor Service Company the sum of ONE HUNDRED NINETY-FIVE DOLLARS AND SIXTY-NINE CENTS (\$195.69) for damages to an automobile which was in the custody of Motor Service Company.

Also:

H. 50. For the relief of The National Electrical Manufacturing Company and to authorize and direct the Court of County Commissioners of Butler County, Alabama, to pay to the said National Electrical Manufacturing Company, the sum of TWO HUNDRED FIVE DOLLARS AND FORTY-TWO CENTS (\$205.42) for damages to an automobile of the said National Electrical Manufacturing Company.

Also:

H. 51. Relating to Butler County; authorizing the county to pay the cost of publishing in two newspapers of general circulation in the county the lists of qualified electors and lists of election officials now required by law to be published in only one such newspaper.

Also:

H. 54. To amend Section 5 of Act No. 592, S. 456, Regular Session 1953, an act providing a civil service system for the City of Anniston (Acts 1953, vol. II, p. 838).

Also:

H. 89. To fix the compensation of members of the county board of education of all counties having populations of not less than 65,000 nor more than 95,000, according to the 1960 or any subsequent federal decennial census.

Also:

H. 120. To amend further Act No. 315, S. 293, approved August 13, 1947, entitled "An Act To create and establish in Houston County, in lieu of the county court, a court of record with county-wide limited jurisdiction of criminal cases and civil actions at law and in equity, providing it with officers, regulating its procedure, and fixing the costs and charges collectible therein," (Local Acts of 1947, page 226) so as to authorize the clerk of the

court to appoint a deputy clerk; and to prescribe such deputy clerk's power and authority.

Also:

H. 121. To alter and rearrange the boundaries of the Town of Ashford, Houston County, Alabama.

Also:

H. 122. To amend Act No. 11, S. 88, Regular Session 1957, an act providing for deputies, clerks, and other assistants of certain officers of Houston County; regulating the compensation of such deputies, clerks, and assistants.

Also:

H. 130. To repeal Act No. 30, H. 78, approved March 23, 1956, an act relating to the compensation of deputy sheriffs in certain counties classified on a population basis (Acts of Alabama, Special Sessions 1956, p. 299.)

Also:

H. 131. To repeal Act No. 621, H. 906, approved September 15, 1953, an act providing expense allowances to members of the court of county commissioners, boards of revenue, or other like county governing bodies of certain counties classified on a population basis (Acts of Alabama 1953, vol. II, p. 880).

Also:

H. 132. To repeal Act No. 318, H. 832, approved August 20, 1957, an act relating to the compensation of the county solicitor, deputy solicitor, or deputy circuit solicitor of certain counties classified on a population basis (Acts of Alabama 1957, vol. I, p. 425).

Also:

H. 133. To repeal Act No. 55, H. 122, approved March 28, 1956, an act relating to the compensation of members of the court of county commissioners, board of revenue, or other like governing body of certain counties classified on a population basis (Acts of Alabama, Special Sessions 1956, p. 345).

Also:

H. 134. To repeal Act No. 110, H. 398, approved June 30, 1955, an act providing an expense allowance to members of courts of county commissioners, boards of revenue or other like county governing bodies of certain counties classified on a population basis (Acts of Alabama 1955, vol. I, p. 355).

Also:

H. 135. To repeal Act No. 150, S. 159, approved June 30, 1953, an act providing for the payment of traveling expenses of members of boards of revenue, courts of county commissioners, or other like county governing bodies of certain counties classified on a population basis (Acts of Alabama 1953, vol. I, p. 193).

Also:

H. 141. To provide that in equity suits in Limestone County the depositions of witnesses or parties upon oral examination for discovery or for use as evidence may be taken as provided in Act No. 375 of the Legislature of Alabama of 1955, approved September 8, 1955 (Acts of Alabama of 1955, page 901 et seq.); to provide that in such county in equity suits the scope of the examination, the use of such depositions, the effect of using such depositions, the method of compelling the attendance of the person sought to be examined and the penalties for the failure of such to appear for such examination, shall be the same as provided for by said Act No. 375 of the Legislature of Alabama of 1955; to provide that the provision of this Act shall apply to future suits and pending suits in such county and also to depositions heretofore taken in pending suits, provided the party or parties taking such depositions in taking the same proceeded under said Act No. 375 of the Legislature of Alabama of 1955; and to provide that the provisions of any law or rule of court in conflict with the provisions of this Act shall be repealed to the extent of such conflict.

Also:

H. 142. Relating to the election of the municipal governing body of any city governed by a mayor and council and having a population of not less than 9,000 nor more than 9,500 inhabitants, according to the 1960 or any subsequent federal decennial census.

Also:

H. 143. To repeal Act No. 407, H. 53, approved September 9, 1955, an act relating to the election of the municipal governing body in any city governed by a mayor and council and having a population of not less than 6,125 nor more than 6,725 inhabitants.

Also:

H. 101. To repeal Act No. 99, H. 168, approved June 18, 1953, entitled, "An Act relating to counties having a population of not less than eighteen thousand (18,000) nor more than twenty thousand two hundred fifty (20,250) inhabitants according to the 1950 or any subsequent decennial census of the United States; providing for the compensation of members of jury commissions in such counties" (Acts of Alabama 1953, vol. I, p. 143).

Also:

H. 100. Relating to counties having a population of not less than 15,500 nor more than 16,300 inhabitants according to the 1960 or any subsequent decennial census of the United States; providing for the compensation of members of jury commissions in such counties.

Also:

H. 108. Relating to Fayette County; regulating further the insuring of certain public buildings in Fayette County, together with the equipment, furniture, fixtures, and other property in such buildings.

Also:

H. 116. To amend Act No. 149, H. 441, approved June 29, 1951 (Acts

of Alabama 1950-1951, vol. I, p. 383), an act relating to the powers, duties, and compensation of the court of county commissioners of Greene County.

Also:

H. 117. To repeal Act No. 644, H. 1098, approved September 20, 1957 (Acts of Alabama 1957, vol. II, p. 975), entitled "An Act to fix the compensation of the county solicitor, deputy solicitor, or deputy circuit solicitor of all counties having a population of not less than twelve thousand five hundred nor more than fifteen thousand, according to the last or any subsequent federal decennial census."

Also:

H. 118. To repeal Act No. 369, H. 847, approved August 21, 1953 (Acts of Alabama 1953, vol. I, p. 439), entitled "An Act to provide clerical assistance to courts of county commissioners, boards of revenue or other governing bodies in counties having a population of not less than 16,450 nor more than 17,500."

Also:

H. 152. To prescribe the maximum amount of compensation allowable to members of jury commissions in all counties having populations of not less than 115,000 nor more than 165,000.

Also:

H. 153. To amend Act No. 402, H. 901, approved August 16, 1949 (Acts of Alabama 1949, page 574) which provided for the election, qualification and tenure of members of the County Board of Education of Madison County.

J. E. SPEIGHT,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills and House Joint Resolution, to-wit:

H. 482. To amend further Code of Alabama 1940, Title 51, Section 788, which relates to the levy of the state use tax.

Also:

H. 483. To amend further Section 2 of the Act entitled "An Act to raise revenue; levying a privilege or license tax against persons on account of certain business activities; prescribing the rate thereof and exemptions therefrom; superseding Article 10 of Chapter 20, Title 51, Code of Alabama, 1940, as amended and supplemented" (Act No. 100, H. 94, Second Special Session 1959).

Also:

H. J. R. 72. Relative to expressing appreciation for the presentation of peaches to the membership of the Legislature.

And finds same correctly enrolled.

VIRGIS M. ASHWORTH,
Chairman.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills and House Joint Resolution, the titles to which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 148. To authorize the incorporation in any municipality in this state of one of more public corporations for the primary purpose of providing public hospital facilities for lease to the respective municipalities in which such corporations are organized; to provide for the election of the directors and officers of each such corporation; to specify its powers and capacities, including the exercise of the power of eminent domain; to authorize such corporation and the municipality in which it is organized to enter into leases covering projects of such corporation and to specify requirements respecting such leases; to provide that the rentals payable and the obligations created by such municipality in any such lease shall be general obligations of the municipality for which its full faith and credit may be pledged but shall be payable solely out of the current revenues of the municipality for the fiscal year during which such rents are payable and during which such agreements are required to be performed; to authorize such municipality to make a special pledge of certain revenues and taxes as security for rentals payable and agreements to be performed by it under such lease; to provide the priority of any such special pledge; to authorize the sale and issuance by such corporation of interest bearing revenue bonds payable solely out of the revenues from the project with respect to which they are issued; to specify provisions of said bonds and to declare them to be negotiable instruments; to authorize the issuance of refunding revenue bonds; to provide that such bonds shall be secured by a pledge of the revenues out of which they shall be payable and by a pledge of the lease from which the revenues so pledged shall be derived, and may be secured by a nonforeclosable mortgage on the project from which the revenues so pledged shall be derived; to specify the use to which the proceeds of said bonds may be put; to provide for remedies in the event of any default in any such bonds or under any such lease; to authorize the investment of funds of the corporation not presently needed; to exempt from taxation the properties of the corporation and the income therefrom,

the said leases, the said bonds and the income therefrom, and the said mortgages; to provide that said bonds shall be legal investments for fiduciaries, savings banks and insurance companies; to authorize the investment of idle and surplus funds of the municipality in said bonds; to authorize the publication of notice of the adoption of the resolution authorizing said bonds and providing a short statute of limitations for the institution of actions and the making of defenses respecting the validity of said bonds, pledge, mortgage and lease; to authorize the conveyance to said corporation, with or without monetary consideration, of properties owned by the municipality whether or not necessary for the conduct of governmental or other public functions of the municipality; to provide for the vesting in the municipality of title to each project of said corporation upon payment of all bonds issued with respect to such project; and to provide for the dissolution of said corporation.

Also:

H. 740. To amend further Act No. 18, S. 2, approved May 18, 1951, an act creating and establishing the Board of Revenue of Lawrence County (Acts of Alabama 1950-1951, vol. I, p. 220), in relation to the powers and duties of the board and the members and chairman thereof.

Also:

H. 98. To amend Section 12 of Act No. 515, Acts of Alabama 1945, p. 734, approved July 9, 1945, as amended, entitled "An Act To establish an employees' retirement system; to determine membership and conditions of membership in said system; to provide for a board of control of said system and for the administration of its affairs; to provide for officers and a medical board and to define their duties; to provide for the adoption of mortality; service and other actuarial tables as may be deemed necessary; to provide for the management of the funds of the said system; to provide a method of financing said system; and to provide an appropriation to carry out the provisions of the Act.

Also:

H. 48. For the relief of W. H. Rogers and to authorize and direct the Court of County Commissioners of Butler County, Alabama, to reimburse the said W. H. Rogers the sum of FOUR HUNDRED SEVENTY-ONE DOLLARS AND FORTY-TWO CENTS (\$471.42) for excess charges for a cattle pass constructed under a public road in Butler County, Alabama.

Also:

H. 49. For the relief of Motor Service Company and to authorize and direct the Court of County Commissioners of Butler County, Alabama, to pay to the said Motor Service Company the sum of ONE HUNDRED NINETY-FIVE DOLLARS AND SIXTY-NINE CENTS (\$195.69) for damages to an automobile which was in the custody of Motor Service Company.

Also:

H. 50. For the relief of The National Electrical Manufacturing Company and to authorize and direct the Court of County Commissioners of Butler County, Alabama, to pay to the said National Electrical Manufacturing Company, the sum of TWO HUNDRED FIVE DOLLARS AND FORTY-TWO CENTS (\$205.42) for damages to an automobile of the said National Electrical Manufacturing Company.

Also:

H. 51. Relating to Butler County; authorizing the county to pay the costs of publishing in two newspapers of general circulation in the county the lists of qualified electors and lists of election officials now required by law to be published in only one such newspaper.

Also:

H. 54. To amend Section 5 of Act No. 592, S. 456, Regular Session 1953, an act providing a civil service system for the City of Anniston (Acts 1953, vol. II, p. 838).

Also:

H. 89. To fix the compensation of members of the county board of education of all counties having populations of not less than 65,000 nor more than 95,000, according to the 1960 or any subsequent federal decennial census.

Also:

H. 120. To amend further Act No. 315, S. 293, approved August 13, 1947, entitled "An Act To create and establish in Houston County, in lieu of the county court, a court of record with county-wide limited jurisdiction of criminal cases and civil actions at law and in equity, providing it with officers, regulating its procedure, and fixing the costs and charges collectible therein," (Local Acts of 1947, page 226) so as to authorize the clerk of the court to appoint a deputy clerk; and to prescribe such deputy clerk's power and authority.

Also:

H. 121. To alter and rearrange the boundaries of the Town of Ashford, Houston County, Alabama.

Also:

H. 122. To amend Act No. 11, S. 88, Regular Session 1957, an act providing for deputies, clerks, and other assistants of certain officers of Houston County; regulating the compensation of such deputies, clerks, and assistants.

Also:

H. 130. To repeal Act No. 30, H. 78, approved March 23, 1956, an act relating to the compensation of deputy sheriffs in certain counties classified on a population basis (Acts of Alabama, Special Sessions 1956, p. 299).

Also:

H. 131. To repeal Act No. 621, H. 906, approved September 15, 1953, an act providing expense allowances to members of the court of county commissioners, boards of revenue, or other like county governing bodies of certain counties classified on a population basis (Acts of Alabama 1953, vol. II, p. 880).

Also:

H. 132. To repeal Act No. 318, H. 832, approved August 20, 1957, an act relating to the compensation of the county solicitor, deputy solicitor, or deputy circuit solicitor of certain counties classified on a population basis (Acts of Alabama 1957, vol. I, p. 425).

Also:

H. 133. To repeal Act No. 55, H. 122, approved March 28, 1956, an act relating to the compensation of members of the court of county commissioners, board of revenue, or other like governing body of certain counties classified on a population basis (Acts of Alabama, Special Sessions 1956, p. 345).

Also:

H. 134. To repeal Act No. 110, H. 398, approved June 30, 1955, an act providing an expense allowance to members of courts of county commissioners, boards of revenue or other like county governing bodies of certain counties classified on a population basis (Acts of Alabama 1955, vol. I, p. 355).

Also:

H. 135. To repeal Act No. 150, S. 159, approved June 30, 1953, an act providing for the payment of traveling expenses of members of boards of revenue, courts of county commissioners, or other like county governing bodies of certain counties classified on a population basis (Acts of Alabama 1953, vol. I, p. 193).

Also:

H. 141. To provide that in equity suits in Limestone County the depositions of witnesses or parties upon oral examination for discovery or for use as evidence may be taken as provided in Act No. 375 of the Legislature of Alabama of 1955, approved September 8, 1955 (Acts of Alabama of 1955, page 901 et seq.); to provide that in such county in equity suits the scope of the examination, the use of such depositions, the effect of using such depositions, the method of compelling the attendance of the person sought to be examined and the penalties for the failure of such to appear for such examination, shall be the same as provided for by said Act No. 375 of the Legislature of Alabama of 1955; to provide that the provision of this Act shall apply to future suits and pending suits in such county and also to depositions heretofore taken in pending suits, provided the party or parties taking such depositions in taking the same proceeded under said Act No. 375 of the Legislature of Alabama of 1955; and to provide that the provisions of any law or rule of court in conflict with the provisions of this Act shall be repealed to the extent of such conflict.

Also:

H. 142. Relating to the election of the municipal governing body of any city governed by a mayor and council and having a population of not less than 9,000 nor more than 9,500 inhabitants, according to the 1960 or any subsequent federal decennial census.

Also:

H. 143. To repeal Act No. 407, H. 53, approved September 9, 1955, an

act relating to the election of the municipal governing body in any city governed by a mayor and council and having a population of not less than 6,125 nor more than 6,725 inhabitants.

Also:

H. 101. To repeal Act No. 99, H. 168, approved June 18, 1953, entitled, "An Act relating to counties having a population of not less than eighteen thousand (18,000) nor more than twenty thousand two hundred fifty (20,250) inhabitants according to the 1950 or any subsequent decennial census of the United States; providing for the compensation of members of jury commissions in such counties" (Acts of Alabama 1953, vol. I, p. 143).

Also:

H. 100. Relating to counties having a population of not less than 15,500 nor more than 16,300 inhabitants according to the 1960 or any subsequent decennial census of the United States; providing for the compensation of members of jury commissions in such counties.

Also:

H. 108. Relating to Fayette County; regulating further the insuring of certain public buildings in Fayette County, together with the equipment, furniture, fixtures, and other property in such buildings.

Also:

H. 116. To amend Act No. 149, H. 441, approved June 29, 1951 (Acts of Alabama 1950-1951, vol. I, p. 383), an act relating to the powers, duties, and compensation of the court of county commissioners of Greene County.

Also:

H. 117. To repeal Act No. 644, H. 1098, approved September 20, 1957 (Acts of Alabama 1957, vol. II, p. 975), entitled "An Act to fix the compensation of the county solicitor, deputy solicitor, or deputy circuit solicitor of all counties having a population of not less than twelve thousand five hundred nor more than fifteen thousand, according to the last or any subsequent federal decennial census."

Also:

H. 118. To repeal Act No. 369, H. 847, approved August 21, 1953 (Acts of Alabama 1953, vol. I, p. 439), entitled "An Act to provide clerical assistance to courts of county commissioners, boards of revenue or other governing bodies in counties having a population of not less than 16,450 nor more than 17,500."

Also:

H. 152. To prescribe the maximum amount of compensation allowable to members of jury commissions in all counties having populations of not less than 115,000 nor more than 165,000.

Also:

H. 153. To amend Act No. 402, H. 901, approved August 16, 1949

(Acts of Alabama 1949, page 574) which provided for the election, qualification and tenure of members of the County Board of Education of Madison County.

Also:

H. 336. To amend the title and Section 1 of Act No. 463, H. 986, approved September 9, 1955 (Acts of Alabama 1955, vol. II, p. 1053), an act relating to the territorial limits of the police jurisdiction outside the corporate limits of cities in all counties having populations of not less than 63,750 nor more than 72,750.

Also:

H. 338. To repeal Act No. 667, H. 1134, approved September 20, 1957, (Acts of Alabama 1957, vol. II, p. 1012), an act regulating the compensation of the members of the county board of education in counties having populations of not less than 53,000 nor more than 56,000.

Also:

H. 339. To repeal Act No. 115, S. 87, approved February 14, 1956, First Special Session 1956 (Acts of Alabama 1956, p. 172), an act relating to the election of the chairman and members of the county board of education in all counties having populations of not less than 63,750 nor more than 68,000, and to repeal Act No. 44, S. 33, approved March 28, 1956, Second Special Session 1956 (Acts of Alabama 1956, p. 337), an act relating to the election of the chairman and members of the county board of education of Walker County.

Also:

H. 340. To amend the title and Section 1 of Act No. 486, H. 944, approved September 10, 1957 (Acts of Alabama 1957, vol. I, p. 670), an act providing further for paid leaves of absence for certain employees of counties having populations of not less than 63,750 nor more than 72,750.

Also:

H. 342. To amend the title and Section 1 of Act No. 686, H. 1094, approved September 20, 1957 (Acts of Alabama 1957, vol. II, p. 1037), an act further defining the police jurisdiction of certain incorporated municipalities situated in counties having populations of not less than 63,750 nor more than 72,750.

Also:

H. 343. To repeal Act No. 82, H. 324, approved June 24, 1959 (Acts of Alabama 1959, vol. I, p. 491), an act relating to the regulation of barbers and barber colleges in all counties having populations of not less than 53,000 nor more than 56,000.

Also:

H. 344. To provide that the county governing bodies in all counties having populations of not less than 51,000 nor more than 56,000 be authorized and empowered in their discretion to pay each employee of such counties employed by the county governing body of any such county, at the rate of his regular daily wage or salary, during the time that such

employee is sick or ill or unable to work. Provided, however, no such employee shall be paid for more than ten days' time in the aggregate during any one calendar year in which he is unable to work on account of sickness or illness.

Also:

H. 345. To apply in all counties having populations of not less than 51,000 nor more than 56,000; providing for the payment of salaries to coroners, prescribing additional duties for coroners, fixing their compensation, providing for the payment thereof, authorizing and directing the county governing body in each such county to provide the coroner with office space, certain equipment, furniture, supplies and services at the expense of the county; superseding and expressly repealing Act No. 433, H. 638, approved July 6, 1945 (General Acts of Alabama 1945, p. 679), Act No. 442, H. 935, approved August 23, 1949 (Acts of Alabama 1949, p. 651), Act No. 222, H. 680, approved August 8, 1955 (Acts of Alabama 1955, vol. I, p. 532) and Act No. 654, H. 1049, approved September 20, 1957 (Acts of Alabama 1957, vol. II, p. 996).

Also:

H. 364. Authorizing the establishment of branch banks in counties having populations of not less than 76,000 nor more than 96,000.

Also:

H. 365. To amend the title and Section 1 of Act No. 492, S. 414, approved September 10, 1957 (Acts of Alabama 1957, vol. I, p. 681), relating to immediate operation of the laws and ordinances of any city or town as to territory annexed to such city or town in counties having a population of not less than 75,000 nor more than 90,000.

Also:

H. 368. To provide clerk-hire allowances for certain officers of all counties having populations of not less than 75,000 nor more than 96,000; to authorize the county governing bodies in said counties to provide clerk-hire allowances for the offices of Judge of Probate, Sheriff, Tax Collector, Tax Assessor, Clerk and Register of the Circuit Court, and Solicitor of the Seventh Judicial Circuit; superseding and expressly repealing Act No. 544, S. 481, approved September 9, 1953 (Acts of Alabama 1953, vol. II, p. 758) and Act No. 66, H. 55, approved February 7, 1956 (Acts of Alabama 1956, p. 99).

Also:

H. 384. Relating to counties having populations of not less than 96,000 nor more than 106,000 inhabitants; providing for the furnishing of equipment, supplies, clerks, deputies and other assistants for certain county officers in such counties.

Also:

H. 385. Relating to counties having a population of not less than 96,000 nor more than 106,000 inhabitants, according to the last or any subsequent federal decennial census; authorizing the governing body of every such county to purchase such uniforms as the governing body deems

necessary for the use of the uniformed personnel, deputies and other employees of the sheriff of the county.

Also:

H. 386. To repeal Act No. 635, H. 479, approved September 15, 1953, an act relating to the issue and return of executions in justice of the peace courts or other courts of like jurisdiction in certain counties classified on a population basis (Acts of Alabama 1953, vol. II, p. 890).

Also:

H. 388. Relating to counties having a population of not less than 96,000 nor more than 106,000 inhabitants, according to the last or any subsequent federal decennial census, authorizing the governing body of every such county to provide for a chief clerk and assistant chief clerk in the circuit court and for a chief clerk in the county court of the county.

Also:

H. 389. Relating to counties having a population of not less than 96,000 nor more than 106,000 inhabitants, according to the 1960 or any subsequent federal decennial census; regulating the compensation of members and clerks of jury commissions in such counties.

Also:

H. 390. To repeal Act No. 499, S. 542, approved August 22, 1951, an act providing for the furnishing of equipment, supplies, clerks, deputies and other assistants for certain county officers in certain counties classified on a population basis.

Also:

H. 391. To provide for the compensation of special bailiffs in the circuit courts of all counties having a population of not less than 96,000 nor more than 106,000, according to the most recent federal decennial census.

Also:

H. 392. To repeal Act No. 738, S. 387, approved September 20, 1957, an act regulating further the purchasing practices of certain counties classified on a population basis (Acts of Alabama 1957, vol. II, p. 1159).

Also:

H. 393. To repeal Act No. 27, S. 22, approved March 23, 1956, an act regulating further the county courts of certain counties classified on a population basis (Acts of Alabama Special Sessions 1956, p. 297).

Also:

H. 394. To provide an assistant coroner for counties having a population of not less than 96,000 nor more than 106,000 inhabitants according to the last or any subsequent federal census.

Also:

H. 395. To repeal Act No. 445, H. 139, approved August 17, 1951, an

act authorizing the county governing bodies of certain counties classified on a population basis to provide for the use of paper ballots or ballot boxes as well as voting machines (Acts of Alabama 1950-1951, vol. I, p. 798).

Also:

H. 955. To direct and require the commissioner of revenue and the state department of revenue to collect any sales and use taxes now or hereafter levied in the City of Dadeville, Tallapoosa County, Alabama, and its police jurisdiction, under the provisions of any ordinance or resolution duly promulgated and adopted by the governing body of said city; to prescribe powers, duties and authority of the commissioner of revenue, the state department of revenue, and the comptroller with respect to the method of procedure for collecting such taxes and remitting the proceeds thereof.

Also:

H. 414. To repeal Act No. 109, H. 362, approved June 30, 1955, an act relating to authorization of the purchase of uniforms for certain employees of the sheriff in certain counties classified on a population basis (Acts of Alabama 1955, vol. I, p. 354).

Also:

H. 415. To repeal Act No. 134, H. 524, approved July 12, 1957, an act relating to appointment, tenure, number and compensation of bailiffs in certain circuits composed of one county classified on a population basis (Acts of Alabama 1957, vol. I, p. 182).

Also:

H. 416. To repeal Act No. 232, H. 333, approved July 17, 1951, an act to prohibit the probate judge in certain counties classified on a population basis from charging certain fees or compensation. (Acts of Alabama, vol. I, p. 502).

Also:

H. 417. To regulate further the purchasing practices of counties having a population of not less than 96,000 nor more than 106,000, according to the last or any subsequent federal decennial census.

Also:

H. 424. To repeal Act No. 444, H. 924, approved November 13, 1959, entitled "An Act to provide for payment by the county of expenses incurred in the operations of the office of county superintendent of education, county commissioner of education, commissioner of public instruction, commissioner of public schools, or other like officer of all counties having a population of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census" (Acts of Alabama 1959, vol. II, p. 1134).

Also:

H. 440. To amend the title and Section 1 of Act No. 491, S. 413, approved September 10, 1957 (Acts of Alabama 1957, vol. I, p. 678), an Act further regulating the alteration and extension of the corporate limits and

boundaries of incorporated municipalities in counties having populations of not less than 75,000 nor more than 90,000.

Also:

H. 441. To amend the title and Section 1 of Act No. 203, H. 543, approved September 30, 1959, entitled "An Act To provide for the appointment of a part-time clerk by the sheriff of any county having a population of not less than 35,500 nor more than 38,500, according to the last or any subsequent federal decennial census, whose compensation shall be paid by the county" (Acts of Alabama 1959, vol. I, p. 738).

Also:

H. 442. To regulate the compensation of members of the county board of education of Lauderdale County, superseding and repealing Act No. 667, H. 1134, approved September 20, 1957 (Acts 1957, vol. II, p. 1012), which regulates the compensation of the members of the county board of education in counties having a population of not less than 53,000 nor more than 56,000 inhabitants.

Also:

H. 443. To provide for compensating the coroner of Lauderdale County on a salary basis, superseding and expressly repealing Act No. 654, H. 1049, approved September 20, 1957 (Acts 1957, vol. II, p. 996), which provides for the permissive change in the basis of compensating coroners of all counties having a population of not less than 53,000 nor more than 56,200 inhabitants.

Also:

H. 446. To regulate the compensation of bailiffs for the grand jury and bailiffs actually serving in court in every county having a population of not less than 25,750 nor more than 27,000, according to the last or any subsequent decennial census of the population of the United States.

Also:

H. 447. To repeal Act No. 500, H. 935, approved September 3, 1953, which regulated the compensation of members of the jury commission in all counties having a population of not less than 26,550 nor more than 26,900.

Also:

H. 463. To provide that the laws governing the County wide Civil Service System of Mobile County shall apply to the position of Chief Clerk, unclassified, in the office of Tax Collector of Mobile County and to provide for the person holding the position of Chief Clerk, to be placed on the employment roster of the Civil Service System of Mobile County and be placed in the proper class and salary level.

Also:

H. 476. To alter, rearrange and redefine the boundaries of the City of Decatur, in Morgan County, Alabama, and to include within the boundaries of said municipality all of the territory described therein.

Also:

H. 487. To apply in all counties having a population of not less than 65,000 nor more than 95,000, according to the last or any subsequent Federal decennial census; to better secure the enforcement of laws in such counties, to further prescribe the duties of the Sheriffs and Solicitors in the enforcement of such laws and to provide for the payment of the expenses incurred in connection therewith.

Also:

H. 492. To apply in all those counties in Alabama having not less than 100,000 population and not more than 115,000 population according to the latest or any subsequent Federal Decennial Census, and further regulating and prescribing the qualifications of persons engaging in the Bail Bond business in such counties.

Also:

H. 494. To amend the title and Section 1 of Act No. 21, Second Special Session 1955, approved March 23, 1955 (Acts of Alabama 1955, Vol. I, p. 130), an Act relating to the establishment of branch banks in counties having populations of not less than 94,000 nor more than 135,000.

Also:

H. 495. To amend the title and Section 1 of Act No. 441, H. 1013, approved September 6, 1957 (Acts of Alabama 1957, vol. I, p. 605), an Act further providing for municipal tax assessments for property annexed to municipalities in counties having populations of not less than 94,000 and not more than 134,000.

Also:

H. 496. To amend the title and Section 1 of Act No. 713, H. 1145, approved September 20, 1957 (Acts of Alabama 1957, vol. II, p. 1109), an Act providing for the payment of an expense allowance to members of the county governing body, other than the chairman or president thereof, of any county having a population of not less than 94,000 nor more than 134,000.

Also:

H. 497. To amend the title and Section 1 of Act No. 683, H. 1086, approved September 20, 1957 (Acts of Alabama, 1957, vol. II, p. 1030), an Act providing further for extending the corporate limits and boundaries of incorporated municipalities in counties having populations of not less than 94,000 nor more than 135,000.

Also:

H. 58. Relating to cities which, according to the 1950 decennial census of the population of the United States, came within the purview of Act No. 214, S. 169, Acts of Alabama of 1953, page 281, approved July 21, 1953.

Also:

H. 378. Relating to cities having a commission form of government and a population of not less than 13,200 nor more than 15,600 inhabitants,

according to the 1960 or any subsequent decennial census of the population of the United States; changing the time and method of electing, amending and fixing the term of office of members of the board of commissioners of any such city.

Also:

H. 55. To regulate the payment of compensation of fire wardens in counties having a population of not less than 17,800 nor more than 18,700 inhabitants, according to the last or any subsequent federal decennial census.

Also:

H. 400. To repeal Act No. 428, H. 866, approved August 27, 1953, an act relating to the appointment, compensation, duties and authority of deputy circuit solicitors in certain counties classified on a population basis (Acts of Alabama 1953, vol. I, p. 528).

Also:

H. 399. To fix the compensation of the coroner in any county in Alabama having a population of not less than 96,000 nor more than 106,000 according to the last or any subsequent decennial federal census.

Also:

H. 398. To relieve certain county officials of the duty of visiting voting places and precincts in the performance of their official duties; to apply in but only in counties having a population of not less than 96,000 nor more than 106,000 according to the most recent federal census.

Also:

H. 397. To repeal Act No. 228, H. 338, approved July 17, 1951, an act relating to relief of certain county officials of the duty of visiting voting places and precincts in the performance of their official duties in certain counties classified on a population basis (Acts of Alabama 1950-1951, vol. I, p. 500).

Also:

H. 396. Providing further for the operation of the county board of equalization of each county having a population of not less than 96,000 nor more than 106,000, according to the last or any subsequent federal decennial census; further regulating the term of service, compensation, and expense allowance of the members of the board; making further provision in regard to the office space and office fixtures and supplies of the board; and providing for the employment of a secretary-appraiser by the board and other employees of the board.

Also:

H. 243. For the relief of Leonard Channell, authorizing and requiring the county governing body of Tuscaloosa County, Alabama, to make an appropriation from the county treasury to compensate the said Leonard Channell for certain damages.

Also:

H. 151. Relating to counties having a population of not less than

115,000 nor more than 165,000 inhabitants, according to the 1960 or any subsequent federal decennial census, electing to come under the provisions of the Act as provided therein; providing a more convenient and efficient method for the registration, assessment for taxes, collection of ad valorem taxes, and sale and distribution of tags for motor vehicles, the issuance of motor vehicle drivers licenses and temporary instruction permits, and the transfer of ownership of motor vehicles; creating a motor vehicle license department in each county to which this Act is made to apply as herein provided and providing for the appointment, qualification, terms, compensation, powers, duties, and authority of the director and deputy director thereof; transferring to the motor vehicle license department, and the director thereof, all the powers, duties, responsibilities, liabilities and authority of the tax assessor, tax collector, and judge of probate relative to the registration, assessment for taxes, collection of ad valorem taxes, sale and distribution of tags for motor vehicles, the issuance of motor vehicle drivers licenses and temporary instruction permits, the transfer of ownership of motor vehicles, and the distribution of the fees, charges and commissions collected and received therefrom; providing an additional and alternative method for the registration, assessment for taxes, collection of ad valorem taxes, and sale and distribution of tags for motor vehicles; providing for clerical assistance, office space, equipment, supplies, and other conveniences necessary for the efficient operation and conduct of the motor vehicle license department; providing for the method by which a county to which this Act applies can elect to come within the provisions of said Act and the effective date thereof; providing the method by which a county may withdraw from the provisions of this Act and the effective date of withdrawal; and the abolishing of all laws and parts of laws in conflict with said Act.

Also:

H. 652. To alter or rearrange the boundary line of the Town of Hanceville, Cullman County, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Also:

H. 401. To prohibit the probate judge in all counties having a population of not less than 96,000 and not more than 106,000 from charging or collecting any fee or compensation for administering an oath or taking or acknowledging an affidavit; and repealing conflicting laws.

Also:

H. 402. To repeal Act No. 423, H. 867, approved August 27, 1953, an act fixing the compensation of the coroner in certain counties classified on a population basis (Acts of Alabama 1953, vol. I, p. 524).

Also:

H. 403. To provide for the appointment of deputy circuit solicitors for all counties having populations of not less than 96,000 nor more than 106,000, according to the last or any subsequent federal decennial census, regulating their compensation and prescribing their duties and authority.

Also:

H. 404. To repeal Act No. 314, S. 322, which became an act on August 31, 1955 without approval of the Governor, an act relating to the

feeding of prisoners in jail in certain counties classified on a population basis (Acts of Alabama 1955, vol. II, p. 714).

Also:

H. 405. To repeal Act No. 478, H. 1070, approved November 19, 1959, an act relating to the compensation of special bailiffs in the circuit courts of certain counties classified on a population basis (Acts of Alabama 1959, vol. II, p. 1197).

Also:

H. 406. To repeal Act No. 714, H. 1148, approved September 20, 1957 (Acts of Alabama 1957, vol. II, p. 1110), Act No. 737, S. 548, approved September 20, 1957 (Acts of Alabama 1957, vol. II, p. 1158), as amended, both of which acts provide further for the operation of the county board of equalization in certain counties classified on a population basis, and all acts amendatory thereof.

Also:

H. 407. To authorize the county governing bodies of all counties having populations of not less than 96,000 nor more than 106,000 according to the last or any future regular decennial federal census to provide for the use of paper ballots or ballot boxes as well as voting machines at voting places in the county where voting machines are used, at any primary, municipal or general election.

Also:

H. 408. To repeal Act No. 294, H. 813, approved August 26, 1955, an act providing an assistant coroner for certain counties classified on a population basis (Acts of Alabama 1955, vol. I, p. 690).

Also:

H. 409. To regulate further the county courts of all counties having a population of not less than 96,000 nor more than 106,000, according to the last or any subsequent federal decennial census.

Also:

H. 410. To repeal Act No. 296, H. 521, approved August 5, 1953, an act regulating the compensation of members and clerks of jury commissions in certain counties classified on a population basis (Acts of Alabama 1953, vol. I, p. 358).

Also:

H. 411. Relating to the issue and return of executions in justice of the peace courts, or other courts of like jurisdiction, in counties having a population of not less than 96,000 inhabitants nor more than 106,000 inhabitants according to the last or any subsequent decennial census of the United States.

Also:

H. 412. To repeal Act No. 458, H. 877, approved September 9, 1955, an act authorizing chief clerks and assistant clerks in the circuit court and

a chief clerk in the county court of each of certain counties classified on a population basis (Acts of Alabama 1955, vol. II, p. 1045).

Also:

H. 413. To provide for the appointment and tenure and number, and fixing the compensation, of bailiffs for circuit courts of Alabama in circuits having two circuit judges composed of one county having populations of not less than 96,000 people nor more than 116,000 people according to the last or any subsequent federal decennial census.

Also:

H. 164. To provide for and regulate the compensation of county engineers of all counties having populations of not less than 22,350 nor more than 24,350, according to the last or any subsequent federal decennial census.

Also:

H. 166. To provide clerical assistance for clerks of circuit courts of all counties having populations of not less than 22,350 nor more than 24,350, according to the last or any subsequent federal decennial census.

Also:

H. 165. To apply in all counties having a population of not less than 22,350 nor more than 24,350, according to the last or any subsequent federal decennial census; providing for the compensation of the chief clerk of the judge of probate in every such county.

Also:

H. 167. To authorize and direct the board of education of any county having a population of not less than 22,350 nor more than 24,350, according to the last or any subsequent federal decennial census, to reimburse the county superintendent of education any sums expended by him in payment of premiums on surety bonds covering certain employees of the board of education.

Also:

H. 225. To repeal Act No. 115, S. 87, First Special Session 1956, approved February 14, 1956 (Acts of Alabama, Special Sessions 1956, p. 172), entitled "An Act Relating to counties having a population of not less than 63,750 people, nor more than 68,000 people, according to the last Federal decennial census or any subsequent Federal decennial census; providing for the nomination and election and terms of office of the members and chairman of the County Board of Education."

Also:

H. 226. To repeal Act No. 98, S. 148, Regular Session 1955, approved June 29, 1955 (Acts of Alabama 1955, vol. I, p. 343), entitled "An Act To fix the compensation of the superintendent of education in all counties having a population of not less than 63,750 nor more than 72,750 inhabitants, according to the last or any subsequent federal decennial census."

Also:

H. 253. To repeal Act No. 240, H. 632, approved September 30, 1959,

entitled, "An Act to provide for the payment of an expense allowance to members of the board of revenue, court of county commissioners, or other like governing body of all counties having a population of not less than 17,650 nor more than 18,000, according to the last or any subsequent federal decennial census" (Acts of Alabama 1959, vol. I, p. 789).

Also:

H. 254. To provide for the payment of an expense allowance to members of the board of revenue, court of county commissioners, or other like governing body of all counties having a population of not less than 14,300 nor more than 14,800, according to the last or any subsequent federal decennial census.

Also:

H. 274. To repeal Act No. 75, H. 63, First Special Session 1959, entitled "An Act Relating to cities having a population of not less than 20,000 nor more than 22,500 inhabitants, according to the last or any subsequent federal decennial census, and operating under the commission form of government provided for by Article 1, Chapter 4, Title 37, Code of Alabama (1940), as amended; providing for and prescribing the form of government for all such cities; and prescribing penalties for violations of certain provisions of the act."

Also:

H. 275. To provide for and prescribe the form of government of all cities having populations of not less than 30,000 nor more than 31,500.

Also:

H. 313. To repeal Act No. 503, H. 1031, Regular Session 1959, approved November 19, 1959 (Acts of Alabama 1959, vol. II, p. 1237), entitled "An Act Providing further for the election and organization of the council in all cities having a population of not less than 14,000 nor more than 19,000, according to the last or any subsequent federal decennial census, and operating under the mayor-council form of government; providing for the election of councilmen by place and number; and prescribing additional qualifications for candidates seeking election to such council."

Also:

H. 315. To repeal Act No. 391, S. 411, Regular Session 1957, approved September 4, 1957 (Acts of Alabama 1957, vol. I, p. 532), entitled "An Act Authorizing counties having a population of not less than 65,000 nor more than 75,000, according to the last or any subsequent federal decennial census, and the municipalities within such counties, either singly or jointly, to create Airport Authority Boards; providing for the selection of the members of such boards, and prescribing their qualifications, terms, and compensation; and providing for the organization, jurisdiction, powers, and duties of such boards."

Also:

H. 316. To repeal Act No. 80, H. 70, First Special Session 1959, approved February 24, 1959 (Acts of Alabama 1959, vol. I, p. 143) and Act No. 93, S. 26, First Special Session 1959, approved February 24, 1959 (Acts of Alabama 1959, vol. I, p. 153), both of which Acts are entitled "An Act

To provide that the judges of probate of all counties having a population of not less than 65,000 nor more than 75,000 according to the last or any subsequent federal decennial census, shall not collect fees for: (1) filing a claim against an estate and giving a receipt therefor, (2) attesting a satisfaction of a mortgage or vendor's lien, (3) approving, filing and recording an official bond, (4) filing and recording deeds or conveyances to the county, and (5) administering an affidavit."

Also:

H. 318. To repeal Act No. 70, H. 229, Regular Session 1955, approved June 21, 1955 (Acts of Alabama 1955, vol. I, p. 308), entitled "An Act To apply in all counties having a population of not less than 65,000 nor more than 75,000 inhabitants, according to the last or any subsequent federal decennial census: To permit any bank having a combined capital and surplus of one hundred thousand dollars or more, and having an authorized office or place of business in any city or town in any such county, to establish, maintain, and operate additional offices or places of business in such county, upon obtaining the approval of the Superintendent of Banks."

Also:

H. 314. To repeal Act No. 273, S. 269, Regular Session 1953, approved August 5, 1953 (Acts of Alabama 1953, vol. I, p. 341), entitled, "An Act To apply in but only in counties having a population of not less than 65,000 nor more than 78,000 inhabitants, according to the last or any subsequent federal decennial census; providing for the destruction of certain records of officers of such counties."

Also:

H. 325. To fix the compensation of the deputies and other assistants to the sheriffs in counties having populations of not less than 51,000 nor more than 56,000 inhabitants, according to the last or any subsequent federal census.

Also:

H. 326. To amend further Section 187 of Title 13, Code of Alabama 1940, in relation to the appointment and compensation of bailiffs in certain counties classified according to population.

Also:

H. 330. To amend the title and Section 1 of Act No. 98, S. 148, approved June 29, 1955 (Acts of Alabama 1955, vol. I, p. 343), an act relating to the fixing of compensation of the superintendent of education in all counties having populations of not less than 63,750 nor more than 72,750.

Also:

H. 331. To amend the title and Section 1 of Act No. 461, H. 984, approved September 9, 1955 (Acts of Alabama 1955, vol. II, p. 1051), an act relating to the exemption of purchases of medical, surgical and hospital supplies from any system of competitive bidding in all counties having populations of not less than 63,700 nor more than 70,000.

Also:

H. 333. To fix the compensation of jury commissions in all counties having populations of not less than 51,000 nor more than 56,000.

Also:

H. 335. To amend the title and Section 1 of Act No. 223, H. 702, approved August 8, 1955 (Acts of Alabama 1955, vol. I, p. 532), an act authorizing the clerk of the circuit court to issue warrants in criminal cases in all counties having populations of not less than 63,750 nor more than 72,750.

Also:

H. 56. Relating to counties having a population of not less than seventeen thousand eight hundred (17,800) nor more than eighteen thousand seven hundred (18,700) inhabitants according to the 1960 or any subsequent decennial census of the United States; providing for the compensation of members of jury commissions in such counties.

Also:

H. 511. To repeal Act No. 469, H. 1067, approved November 13, 1959, entitled, "An Act relating to counties having a population of not less than 75,000 nor more than 93,000 inhabitants; to authorize county governing bodies to provide for payment of expenses of certain county officers" (Acts of Alabama 1959, vol. 2, p. 1164).

Also:

H. 512. To alter, rearrange and extend the boundaries and corporate limits of the City of Oxford, Calhoun County, Alabama, so as to annex certain territory to the city.

Also:

H. 513. Relating to counties having a population of not less than 76,000 nor more than 96,000 inhabitants; to authorize county governing bodies to provide for payment of expenses of certain county officers.

Also:

H. 429. To alter, extend and rearrange the corporate limits of the City of Mountain Brook, in the County of Jefferson, and State of Alabama, by the inclusion within the corporate limits of said City certain additional territory now or formerly included within the City of Birmingham.

Also:

H. 515. To regulate the compensation of county superintendents of education in all counties having populations of not less than 10,800 nor more than 12,000, according to the 1960 or any subsequent federal decennial census, and provide for payment thereof.

Also:

H. 576. To repeal Act No. 645, H. 1100, approved September 20, 1957 (Acts of Alabama 1957, Volume II, p. 976).

Also:

H. 578. To repeal Act No. 553, H. 960, approved August 28, 1951, an act providing for meetings of the Board of Registrars in certain counties (Acts of Alabama 1950-1951, vol. II, p. 970).

Also:

H. 579. Relating to registration of voters; providing for meeting days of board of registrars in counties of 110,000 to 160,000 population according to the 1960 or any subsequent decennial census; and providing for clerical assistants to be furnished to the board by county and city government.

Also:

H. 580. To repeal Act No. 239, S. 376, approved July 19, 1951, entitled, "An Act relating to the registration and purgation of voters in counties having a population of not less than 64,000 nor more than 79,000 inhabitants, and providing for meetings and procedures of the Board of Registrars for the purpose of registering voters and purging the registration lists in such counties," (Acts of Alabama 1951, vol. I, p. 514).

Also:

H. 581. To provide that the judges of probate of all counties having a population of not less than 110,000 nor more than 160,000 according to the last or any subsequent federal decennial census, shall not collect fees for: (1) filing a claim against an estate and giving a receipt therefor, (2) attesting a satisfaction of a mortgage or vendor's lien, (3) approving, filing and recording an official bond, (4) filing and recording deeds or conveyances to the county, and (5) administering an affidavit.

Also:

H. 582. To repeal Act No. 223, H. 332, approved July 17, 1951, entitled "An Act To prescribe the qualifications, duties, and to impose additional duties, and fix the compensation of the coroner in all counties of the state having a population of not less than 80,000 and not more than 135,000 people, according to the last Federal Census, or which hereafter may have such a population according to any such census that may hereafter be taken," (Acts of Alabama 1950-51, vol. I, p. 497).

Also:

H. 583. To repeal Act No. 692, S. 617, approved September 5, 1951, entitled "An Act Relating to counties having a population of not less than ninety-three thousand nine hundred nor more than one hundred thirty-seven thousand inhabitants; increasing the jurisdiction of the inferior court of such counties and providing additional compensation for the judge thereof for the performance of the additional duties resulting from such increased jurisdiction," (Acts of Alabama 1950-1951, vol. II, p. 1193).

Also:

H. 584. To repeal Act No. 210, S. 319, approved June 22, 1943, entitled "An Act To designate the time in each year when the Board of Registrars shall sit for the purpose of registering voters in all counties having a population of not less than 100,000, nor more than 140,000 popula-

tion according to the last or any succeeding Federal census; to provide that said sessions shall be in lieu of all other sessions now authorized by law and to repeal all laws or parts of laws in conflict herewith," (Acts of Alabama 1943, p. 187).

Also:

H. 585. To repeal Act No. 528, H. 992, approved September 2, 1949, entitled "An Act Creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 100,000 people and not more than 140,000 people and for municipalities in such counties having a population of 5,000 or more people, all according to the last or any subsequent Federal Census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provisions of the act; and repealing all laws or parts of laws inconsistent with the provisions hereof" (Acts of Alabama 1949, page 819), and all acts amendatory thereof.

Also:

H. 586. To amend further Section 30½ of the act approved September 20, 1957, regulating the practice of cosmetology (Act No. 653, H. 489, Acts of 1957, vol. II, p. 981).

Also:

H. 587. To authorize the appointment of two additional deputies sheriff in counties having populations of not less than 27,000 nor more than 30,000 inhabitants, and to provide for their compensation.

Also:

H. 588. To repeal Act No. 281, H. 302, approved July 26, 1951, entitled "An Act To authorize the appointment of two additional deputies sheriff in counties having populations of not less than 29,400 nor more than 30,500 inhabitants, and to provide for their compensation" (Regular Session 1951, vol. I, p. 567).

Also:

H. 589. To repeal Act No. 35, H. 40, approved March 29, 1955, an act providing for a clerk for the Clerk of the Circuit Court of certain counties, (Acts of Alabama 1955, vol. I, p. 142).

Also:

H. 590. To repeal Act No. 38, H. 35, approved February 18, 1955, entitled "An Act Relating to counties with populations of not less than 29,350 nor more than 30,350 inhabitants: to provide a clerk for the tax collector and tax assessor of such counties, fixing the salaries of each of such clerks and the method of payment of such salaries out of the general funds of such counties" (Acts of Alabama 1955, vol. I, p. 60).

Also:

H. 599. To repeal Act No. 269, H. 637, Regular Session 1959, entitled

"An Act to apply in all counties having a population of not less than 25,725 nor more than 25,875, according to the last or any subsequent federal decennial census; providing for the compensation of the chief clerk of the judge of probate in every such county," (Acts of Alabama 1959, vol. I, p. 833).

Also:

H. 600. To repeal Act No. 456, H. 971, approved November 13, 1959, entitled, "An Act to prohibit the taking of fish from the public waters of all counties having a population of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census, with hoop and fyke nets, gill nets, trammel nets, or any other kind of commercial fishing gear except setlines, trotlines, and snaglines; repealing conflicting laws" (Acts of Alabama 1959, vol. 2, p. 1147).

Also:

H. 601. To prohibit the taking of fish from the public waters of all counties having a population of not less than 57,000 nor more than 61,000, according to the 1960 or any subsequent federal decennial census, with hoop and fyke nets, gill nets, trammel nets, or any other kind of commercial fishing gear except setlines, trotlines, and snaglines; repealing conflicting laws.

Also:

H. 603. To repeal Act No. 69, H. 318, Regular Session 1945, approved June 7, 1945 (General Acts of Alabama 1945, p. 66), entitled "An Act To authorize the employment, in their discretion, by municipalities in Alabama having a population of not less than fifteen thousand and not more than eighteen thousand, according to the last or any succeeding Federal census, of a City Manager; and to provide for the authority, duties, liabilities and penalties, the term of office and the compensation of City Managers so employed."

Also:

H. 605. To alter, re-arrange, and extend the boundary lines and corporate limits of the town of Sumiton in Walker County.

Also:

H. 573. To alter, rearrange and extend the corporate limits of the Town of Sulligent, Lamar County, Alabama.

Also:

H. 732. Proposing an amendment to the Constitution relating to levying special taxes and the issuance of bonds in Washington County for public buildings.

Also:

H. 490. Proposing an amendment to the Constitution of Alabama relative to the costs and charges of courts in St. Clair County and the compensation of certain officers of the county.

Also:

H. 255. To propose a constitutional amendment relative to levying additional taxes in Choctaw County for public school purposes.

Also:

H. 565. Proposing an amendment to the Constitution of Alabama relative to economic development of Greene County.

And finds same correctly enrolled.

VIRGIS M. ASHWORTH,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

NOTICE IN WRITING

Messrs. Cabiness and Gross offered the following Notice in Writing:

Notice is hereby given that on the next Legislative Day, I will move for the House to direct the Standing Committee on Local Legislation No. 1 to act on House Bill 1097 and to report the same to the House at its next sitting.

NOTICE IN WRITING BY MESSRS. CABINESS AND GROSS

Read and ordered filed.

POINT OF PERSONAL PRIVILEGE

Mr. Cabiness requested as a matter of personal privilege that the following be inserted in the Journal:

Gentlemen, Mr. Gross and I had a local bill in the Local Legislation Committee which we introduced in this House last Friday. I was informed that this bill would be delayed because Mr. Jack Owen wanted a public hearing of this committee.

Gentlemen, I resent very much the President of the Public Service Commission, Mr. Jack Owen, interfering with one of my local bills that the people of my county are demanding.

I am here now to tell you that the people of my county elected me to this Legislature, not Jack Owen. They didn't even vote for him for President of the Public Service Commission.

I resent Jack Owen or any other state official, interfering with my local bills which is my prerogative and will remain so until the people of Jackson County deem otherwise.

It is not customary and I have not heard of a local bill being interfered with in this way.

I didn't know the President of the Public Service Commission could call a meeting of the Local Legislation Committee.

I had been told that the President of the Public Service Commission, Mr. Jack Owen, represented the big utilities and railroads and placed their interests above the people! Now I am convinced of this!

I am hereby serving notice to this House that until such time as Jackson County's Local Bills are given the same local courtesy as other local bills, it would be just as fair for me to delay the passage of all local bills every way in my power.

The blood of the slain children who were killed in Jackson County cries out for the passage of this local bill.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Haltom:

S. 2. Proposing an amendment of Section 178 of the Constitution of Alabama, which relates to the qualifications for voting, to change the residence requirements.

Also:

By Mr. Archer:

S. 228. To amend the title and Section 1 of Act No. 153, H. 449, approved June 30, 1953 (Acts of Alabama 1953, vol. I, p. 195), regulating and fixing the minimum salary of firemen and policemen in certain cities classified on a population basis.

Also:

By Mr. Archer:

S. 229. To amend the title and Section 1 of Act No. 112, H. 380, approved June 19, 1951 (Acts of Alabama 1951, vol. I, p. 337), providing for the name, number and designation of the governing body of certain cities classified on a population basis; providing for the selection of employees in all such cities and prescribing the authority of the governing body of such cities with respect to such employees; providing for the distribution of the powers and duties of and among the members of the governing body of each such city; and providing for their compensation.

Also:

By Mr. Archer:

S. 232. To repeal Act No. 378, H. 785, approved July 6, 1943, entitled "An Act To provide for appeals from decisions of Civil Service Boards by whatever name known, governing the police and fire departments in all cities of the State of Alabama which now have a population of as many as 35,000 and less than 75,000, according to the last Federal Census, or which shall have such populations according to any such census that may hereafter be taken and in which the police and fire departments are now or may hereafter be governed and controlled by a Civil Service Board, by whatever name known; to regulate and define the persons, officers, and positions governed and controlled by Civil Service laws and regulations now or hereafter in force and effect in such cities; to continue in full force and effect any Civil Service laws or regulations not herein modified; and to repeal all laws and parts of laws whether general, special or local, and whether codified or uncoded, in conflict with the provisions of this Act" (Acts of Alabama Regular Session 1942 and Special Session 1943, p. 347).

Also:

By Mr. Archer:

S. 234. To amend further Act No. 379, H. 786, approved July 9, 1943 (Acts of Alabama Regular Session 1943 and Special Session 1942, p. 349), an act to establish a Policemen and Firemen's Retirement Fund in certain cities classified on a population basis; to provide for such fund, its sources, management, and administration; to provide for a Board of Trustees and Secretary-Treasurer thereof for such fund; to provide for the retirement and reinstatement of active or retired members of such departments and payment of benefits provided for hereunder; to provide for payment of benefits to widows and orphans, and widowed mothers of such members; and to provide for appeals from rulings of the Board of Trustees.

Also:

By Mr. Archer:

S. 235. To amend the title and Section 1 of Act No. 501, S. 619, approved August 30, 1949, providing that the employees of any water works board or other board, public corporation or commission created or appointed by the governing bodies of certain cities classified on a population basis shall be covered by the terms of any city retirement system in effect at the time of creation of such board, commission or corporation (Acts of Alabama 1949, p. 726).

Also:

By Mr. Archer:

S. 236. To amend further Act No. 671, H. 921, approved September 4, 1951 (Acts of Alabama 1951, vol. II, p. 1158), creating and establishing a civil service system to govern the appointment, tenure, compensation, conditions of employment, and removal of certain officers and employees in such cities.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 2. Was read a first time at length as required by the Constitution, and referred to the Standing Committee on Judiciary.

S. 228. Local Legislation No. 1.

S. 229. Local Legislation No. 1.

S. 232. Local Legislation No. 1.

S. 234. Local Legislation No. 1.

S. 235. Local Legislation No. 1.

S. 236. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Moses:

S. 233. To provide for the relief of Mrs. Fred Bull, by Marion County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MARION

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for the relief of Mrs. Fred Bull, by Marion County.

Be It Enacted by the Legislature of Alabama:

Section 1. The court of county commissioners, board of revenue, or other like governing body of Marion County may appropriate from any funds of the county not otherwise appropriated, the sum of one thousand dollars (\$1,000) for the relief of Mrs. Fred Bull. Such sum may be paid to the said Mrs. Bull as just compensation for the personal injuries she received as a result of a motor vehicle collision involving a county truck, provided the said Mrs. Bull and her husband, Fred Bull, for themselves and their heirs and assigns, waive any other further claim for damages against Marion County. The Legislature finds and declares that the claim of the said Mrs. Fred Bull is a moral and just claim against the county but claimant has no recourse at law to recover her damages, hence this enactment.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared Oscar Roden, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Marion County News-Journal, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Mar. 2, Mar. 9, Mar. 16, and Mar. 23, all in the year 1961.

OSCAR RODEN.

Sworn to and subscribed before me 16 May, 1961.

DOROTHY BLACK,
Title Notary Public.

Also:

By Mr. Moses:

S. 313. Relating to the municipality of Bear Creek, in Marion County, Alabama: To alter, re-arrange, and extend the boundaries and corporate limits of the Town of Bear Creek, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MARION

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the municipality of Bear Creek, in Marion County, Alabama: To alter, re-arrange, and extend the boundaries and corporate limits of the Town of Bear Creek, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the municipality of Bear Creek in Marion County, Alabama, are hereby altered, re-arranged, and extended to include within the corporate limits of said Town of Bear Creek, Alabama, the following described territory, situated in Marion County, Alabama, to-wit:

S½ of Section 9; SE¼ of Section 8; E½ of Section 17; Section 16; all in Township 9, Range 11, in Marion County, Alabama.

Section 2. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.
4T 3-23-30 & 4-6-13-61

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared Oscar Roden, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Marion County News-Journal, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Mar. 23, Mar. 30, April 6, and April 13, all in the year 1961.

OSCAR RODEN.

Sworn to and subscribed before me 16 May, 1961.

DOROTHY BLACK,
Title Notary Public.

Also:

S. 324. To alter, rearrange, and extend the boundary lines and corporate limits of the City of Florence in Lauderdale County so as to annex certain territory to the city.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF LAUDERDALE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange, and extend the boundary lines and corporate limits of the City of Florence in Lauderdale County so as to annex certain territory to the city.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the City of Florence in Lauderdale County are hereby altered, rearranged, and extended so as to include within the corporate limits of the city the following described territory situated in Lauderdale County, to-wit:

Begin at a point on the present West boundary of the corporate limits of the City of Florence, Alabama, at the Southeast corner of Section 9, Township 3 South, Range 11 West; thence West along the South line of Section 9 to the Southwest corner of the Southeast $\frac{1}{4}$ of said Section 9; thence North along the West line of the Southeast $\frac{1}{4}$ of the said Section 9 to the center of Cypress Creek; thence following the meanderings of Cypress Creek upstream, and in general Southeastwardly direction to the East line of the Southeast $\frac{1}{4}$ of said Section 9, the present West boundary of the corporate limits of the City of Florence; thence North along the East line of said Section 9 to the center of Cypress Creek; thence following the meanderings of Cypress Creek upstream and in a Northwestwardly and Northwardly direction to the center line of the Bridge of Waterloo Road; thence Westwardly with the center line of said bridge and its projection to the Westwardly line of the Old Waterloo Road; thence following the meanderings of the Westwardly and Southwardly line of the Old Waterloo Road as the same is shown on plat of PARK RIDGE, which is recorded in the office of Judge of Probate of Lauderdale County, Alabama, in New Plat Book 1 at Pages 278-279 and 280, and on plat of CYPRESS BEND PLACE, plat of which is recorded in New Plat Book 2, at page 189 of aforesaid records, in a Northeastwardly, Northwardly and Northwestwardly direction to the projection of the common lot line between Lot 38, Block 1 of said PARK RIDGE and Lot 39, Block 1 of said PARK RIDGE; thence North with said common lot line and its projection to the center of Cypress Creek; thence following the meanderings of Cypress Creek, downstream, in a Northeastwardly, Eastwardly and Southeastwardly direction to the intersection of said creek line and the South line of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 9, Township 3, Range 11 West; thence East with the South line of Northwest $\frac{1}{4}$ of Northeast $\frac{1}{4}$ of said Section 9 to the Southwest corner of the Northeast $\frac{1}{4}$ of Northeast $\frac{1}{4}$ of said Section 9; thence North to the Northwest corner of the Northeast $\frac{1}{4}$ of Northeast $\frac{1}{4}$ of said Section 9, a point on the present corporate limits of City of

Florence, thence East with said corporate limits to the Northeast corner of said Section 9; thence South with present corporate limits one mile, more or less, to the point of beginning.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LAUDERDALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bassel Winter, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Secretary of The Florence Herald, a newspaper of general circulation published in Lauderdale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 27, May 4, May 11, and May 18, all in the year 1961.

BASSEL WINTER,
Secretary.

Sworn to and subscribed before me May 22, 1961.

H. S. MAY,
Title Notary Public State-At-Large.
My Commission Expires August 31, 1964.

Also:

By Mr. Archer:

S. 335. To authorize the court of county commissioners, board of revenue, or other like governing body of Madison County to provide additional funds to the probate judge for clerical help and assistance for the current year.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MADISON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To authorize the court of county commissioners, board of revenue, or

other like governing body of Madison County to provide additional funds to the probate judge for clerical help and assistance for the current year.

Be It Enacted by the Legislature of Alabama:

Section 1. The court of county commissioners, board of revenue, or other like governing body of Madison County may, in its discretion, allow and pay to the probate judge of the county during the fiscal year ending September 30, 1961, for additional clerical help and assistance employed during the current year, a sum not to exceed seven thousand five hundred dollars. The allowance provided for in this Act shall be in addition to the allowance for compensation of clerks and assistance as provided in Act No. 501, S. 399, Regular Session 1957, as amended.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Lewis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Secretary-Treasurer of the Huntsville Times, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 4, May 11, May 18, and May 25, all in the year 1961.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me May 26, 1961.

OPAL H. DILWORTH,
Title Notary Public.

Also:

By Mr. Leonard:

S. 336. Relating to powers of county governing bodies of counties having populations of not less than 62,000 nor more than 92,000, according to the 1960 or any subsequent federal decennial census; authorizing appropriations of county funds to provide ambulance service for the sick and infirm.

Also:

By Mr. Haltom:

S. 325. To propose an amendment to the Constitution relating to the

levy and collection of special property taxes for educational purposes in Lauderdale County.

Also:

By Mr. Golson:

S. 448. Relating to the powers of the Board of Revenue of Lowndes County; authorizing the board to appoint its clerk and fix his compensation; repealing Section 5 of an act approved December 17, 1894, as amended, which provides that the clerk of the circuit court of the county shall be ex officio clerk of the Board of Revenue.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF LOWNDES

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to the powers of the Board of Revenue of Lowndes County; authorizing the board to appoint its clerk and fix his compensation; repealing Section 5 of an act approved December 17, 1894, as amended, which provides that the clerk of the circuit court of the county shall be ex officio clerk of the Board of Revenue.

Be It Enacted by the Legislature of Alabama:

Section 1. The Board of Revenue may in its discretion appoint any competent and qualified person to be and act as its clerk, to perform all the duties of the clerk as prescribed by law or as determined by the board. The board may fix the compensation of its clerk and provide for the payment thereof from any funds of the county available for purpose.

Section 2. Section 5 of Act No. 111, H. 82, enacted as the session of 1894-1895, as amended by Act No. 572, S. 609, Regular Session 1951, is hereby repealed.

Section 3. This Act shall not take effect until the expiration of the term of the incumbent clerk of the circuit court of Lowndes County.

June 8-15-22-29

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LOWNDES

Before me, the undersigned authority in and for said County in said State, this day personally appeared Cecil B. Cross, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of The Lowndes Signal, a newspaper of general circulation published in Lowndes County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 8, June 15, June 22, and June 29, all in the year 1961.

CECIL B. CROSS, JR.

Sworn to and subscribed before me July 7, 1961.

R. R. NORMAN, JR.,
Title Notary Public.

Also:

By Mr. Golson:

S. 449. To amend Act No. 681, H. 1076, Regular Session 1957, an act relating to the compensation of members of the court of county commissioners, board of revenue or other like governing body of Lowndes County (Acts of Alabama 1957, vol. II, p. 1029).

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF LOWNDES

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 681, H. 1076, Regular Session 1957 an act relating to the compensation of members of the court of county commissioners, board of revenue or other like governing body of Lowndes County (Acts of Alabama 1957, vol. II, p. 1029).

Be It Enacted by the Legislature of Alabama:

Section 1 of Act No. 681, H. 1076 Regular Session 1957, an act relating to the compensation of members of the court of county commissioners,

board of revenue or other like governing body of Lowndes County (Acts of Alabama 1957, vol. II, p. 1029) is hereby amended to read as follows:

"Section 1. The members of the court of county commissioners, board of revenue or like governing body of Lowndes County shall each be entitled to receive a salary of one thousand two hundred dollars per annum, payable in equal monthly installments, out of any funds in the county treasury available for such purpose according to law. In addition to his salary, each member who uses his privately-owned automobile on official business for the county shall be entitled to seven and one-half cents a mile for each mile so traveled, provided that no member shall be entitled to mileage in excess of one thousand miles a month."

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LOWNDES

Before me, the undersigned authority in and for said County in said State, this day personally appeared Cecil B. Cross, Jr., who, being by me first duly sworn, deposes and says that during the time herein mentioned he was Publisher of the Lowndes Signal, a newspaper of general circulation published in Lowndes County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 8, June 15, June 22, and June 29, all in the year 1961.

CECIL B. CROSS, JR.

Sworn to and subscribed before me July 7, 1961.

R. R. NORMAN, JR.,
Title Notary Public.

Also:

By Mr. Golson:

S. 450. To repeal Act No. 161, S. 25, Regular Session 1959, entitled "An Act relating to the public schools of Lowndes County; authorizing the county board of education to impose and provide for the collection of tuition charges or fees for the attendance of pupils at such schools" (Acts of Alabama 1959, vol. 1, p. 686).

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF LOWNDES

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To repeal Act No. 161, S. 25, Regular Session 1959, entitled "An Act relating to the public schools of Lowndes County; authorizing the county board of education to impose and provide for the collection of tuition charges or fees for the attendance of pupils at such schools" (Acts of Alabama 1959, vol. 1, p. 686).

Be It Enacted by the Legislature of Alabama:

Section 1. Act No. 161, S. 25, Regular Session 1959, entitled "An Act relating to the public schools of Lowndes County; authorizing the county board of education machine or the parts, attachments, or re of one percent of the sales price of such to impose and provide for the collection of tuition charges or fees for the attendance of pupils at such schools" (Acts of Alabama 1959, vol. 1, p. 686), is hereby expressly repealed.

Section 2. This Act shall become effective immediately upon its passage and approval of the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LOWNDES

Before me, the undersigned authority in and for said County in said State, this day personally appeared Cecil B. Cross, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Lowndes Signal, a newspaper of general circulation published in Lowndes County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 8, June 15, June 22, and June 29, all in the year 1961.

CECIL B. CROSS, JR.

Sworn to and subscribed before me July 7, 1961.

R. R. NORMAN, JR.,
Title Notary Public.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 283. Local Legislation No. 1.

S. 313. Local Legislation No. 1.

S. 324. Local Legislation No. 1.

S. 335. Local Legislation No. 1.

S. 336. Local Legislation No. 1.

S. 325. Was read a first time at length as required by the Constitution, and referred to the Standing Committee on Local Legislation No. 1.

S. 448. Local Legislation No. 1.

S. 449. Local Legislation No. 1.

S. 450. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Rutledge:

S. 6. To provide additional clerks for the tax assessor and the tax collector in all counties having a population of not less than 42,000 nor more than 46,000 according to the most recent federal census, making the Act retroactive.

Also:

By Mr. Rutledge:

S. 7. To apply in all counties having a population of not less than 42,000 nor more than 46,000 inhabitants, according to the last or any subsequent federal decennial census; providing for the appointment of a deputy clerk of the circuit court of such counties; prescribing the duties, powers, and authority of such deputy, fixing his compensation and designating the method of payment and the fund from which such compensation shall be paid.

Also:

By Mr. Rutledge:

S. 9. To apply in all counties having a population of not less than 42,000 nor more than 46,000, according to the last or any subsequent federal decennial census; regulating further the office of county solicitor in such counties; imposing extra, new, and additional duties upon such officer, and providing further for his compensation.

Also:

By Mr. Rutledge:

S. 12. To repeal Act No. 448, H. 630, approved August 17, 1951, entitled, "An Act to fix the salary of County Superintendents of Education

in all counties of the State of Alabama having a population of not less than 45,090 and not more than 46,550 according to the 1950 Federal Census, or any subsequent Federal census, and to provide when this Act shall take effect" (Acts of Alabama 1951, vol. I, p. 800).

Also:

By Mr. Rutledge:

S. 13. To repeal Act No. 271, H. 674, approved October 9, 1959, entitled, "An Act relating to the establishment, construction, reconstruction, repair, and maintenance of roads and bridges in all counties having a population of not less than 41,000 nor more than 47,000, according to the last or any subsequent federal decennial census; providing for a referendum election to determine whether the state or the county will have and exercise jurisdiction, supervision, and control over county roads and bridges" (Acts of Alabama 1959, vol. I, p. 835).

Also:

By Mr. Rutledge:

S. 14. To repeal Act No. 214, S. 169, approved July 21, 1953, entitled, "An Act relating to cities having a population of not less than 10,000 nor more than 12,000 inhabitants, according to the 1950 or any subsequent decennial census of the population of the United States; changing the time and method of electing and fixing the term of office of members of the board of commissioners of any such city" (Acts of Alabama 1953, vol. I, p. 281).

Also:

By Mr. Rutledge:

S. 15. Relating to counties having a population of not less than fourteen thousand four hundred (14,400) nor more than fourteen thousand nine hundred (14,900) inhabitants according to the 1960 or any subsequent decennial census of the United States; providing for the compensation of members of jury commissions in such counties.

Also:

By Mr. Rutledge:

S. 17. Relating to counties having a population of not less than 14,400 nor more than 14,900 inhabitants according to the last or any subsequent decennial census of the United States; authorizing the establishment by banks within such counties of branch banks within the county, subject to the approval of the Superintendent of Banks.

Also:

By Mr. Rutledge:

S. 18. To repeal Act No. 606, H. 974, approved September 15, 1953, entitled, "An Act relating to counties having a population of not less than 18,200 nor more than 18,600 inhabitants according to the last or any subsequent decennial census of the United States; authorizing the establishment by banks within such counties of branch banks within the county, subject to the approval of the Superintendent of Banks" (Acts of Alabama 1953, vol. II, p. 862).

Also:

By Mr. Rutledge:

S. 197. To amend Section 1 of Act No. 291, H. 621, approved August 16, 1957, the act requiring the state department of revenue to collect any sales and use taxes levied in the city of Haleyville, Winston County, under the provisions of any ordinance or resolution duly promulgated and adopted by the governing body of that city (Acts of Alabama, Regular Session 1957, vol. I, p. 369).

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF WINSTON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Section 1 of Act No. 291, H. 621, approved August 16, 1957, the act requiring the state department of revenue to collect any sales and use taxes levied in the city of Haleyville, Winston County, under the provisions of any ordinance or resolution duly promulgated and adopted by the governing body of that city (Acts of Alabama, Regular Session 1957, vol. I, p. 369).

Be It Enacted by the Legislature of Alabama:

Section 1 of Act No. 291, H. 621, approved August 16, 1957, the act requiring the state department of revenue to collect any sales and use taxes which may be levied in the city of Haleyville, Winston County, under the provisions of any ordinances or resolution duly promulgated and adopted by the governing body of said city (Acts of Alabama, Regular Session 1957, vol. I, p. 369) as hereby amended to read as follows:

"Section 1. The Department of Revenue is hereby authorized, directed, and required to collect, any sales and use taxes which may be levied in the City of Haleyville (not including municipal sales, use, or license taxes levied upon the State of Alabama or the Alabama Alcoholic Beverage Control Board liquor stores) under the provisions of any municipal ordinance or resolution with a levy identical to the state levy except for rate of tax, subject to all definitions, exceptions, exemptions, proceedings, requirements, rules, regulations, provisions, penalties, fines, punishments, and deductions as are applicable to the state sales and use taxes levied under Act No. 100, H. 94, approved August 18, 1959, and Article 11 of Chapter 20, Title 51, Code of Alabama 1940, and all acts now or hereafter amendatory thereof or supplementary thereto, except where inapplicable or where herein otherwise provided, including the provisions for the enforcement and collection of taxes when said ordinance or resolution is duly promulgated and adopted by

the governing body of the City of Haleyville and when a certified copy of said ordinance or resolution has been filed with the Department of Revenue not less than thirty days prior to the effective date of the tax levy. Such municipal sales and use taxes shall be collected by the department at the same time and along with the collection by the department of taxes levied and collected for the State of Alabama under the provisions of Act No. 100, H. 94, approved August 18, 1959, and Article 11 of Chapter 20, Title 51, Code of Alabama 1940, as amended, and all reports required to be made to the Commissioner of Revenue hereunder shall, on request to the Department of Revenue, be made available for inspection by the governing body of the City of Haleyville, or its designated agent, at reasonable times during business hours. The Department of Revenue shall prepare and distribute such reports, forms and other information as may be necessary for the collection of such municipal sales and use taxes, and shall have all the authority and duties hereunder as it has in connection with the collection of the State's sales and use taxes provided for by Act No. 100, H. 94, approved August 18, 1959, and Article 11 of Chapter 20, Title 51, Code of Alabama 1940, as amended. It shall be the duty of the Commissioner of Revenue to pay into the state treasury all such taxes collected for the City of Haleyville under the Act; and on or before the first day of the following month, the Commissioner shall certify to the Comptroller the amount of special taxes levied and collected under the provisions of this Act for the use and benefit of the City of Haleyville during the calendar month immediately preceding the making of such certificate. Whereupon it shall be the duty of the Comptroller to issue his warrant on the State Treasurer for the amount, less expenses, so certified by the Commissioner of Revenue as having been collected for the use of the City of Haleyville and paid into the State Treasury; and the amount so certified by the Commissioner of Revenue as having been collected for the use of such city (less expenses) shall be paid to the Treasurer or other custodian of funds of the City of Haleyville. The Department of Revenue shall charge the City of Haleyville for collecting such municipal sales and use taxes the cost of making such collections provided, however, that such charge shall not exceed ten percent of the amount collected. The Comptroller shall each month draw his warrant on the funds collected hereunder payable to the Department of Revenue for the amount of such charges. The Department of Revenue shall have full authority to employ such special counsel as it deems necessary from time to time to enforce collection of such municipal sales and use taxes, and otherwise to enforce the provisions of the ordinance or resolution levying such taxes, including any litigation required, and the Department of Revenue shall pay such special counsel such fees as it deems necessary and proper from the proceeds of the taxes payable to the City of Haleyville under the provisions of this Act."

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF WINSTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jay Thornton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Advertiser, a newspaper of general circulation published in Winston County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 6th, April 13th, April 20th, and April 27th, all in the year 1961.

JAY THORNTON.

Sworn to and subscribed before me May 1st, 1961.

R. J. THORNTON,
Title Notary Public.

Also:

By Mr. Rutledge:

S. 198. To provide for the election of school trustees in Winston County, fix their terms of office, and prescribe their qualifications.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF WINSTON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To provide for the election of school trustees in Winston County, fix their terms of office, and prescribe their qualifications.

Be It Enacted by the Legislature of Alabama:

Section 1. On or before the first day of October 1961, and in the month of September every four years thereafter, the patrons of each school in Winston County shall elect from among their own number three trustees for the school, to serve as such in the manner prescribed by general laws, for a term of four years, and until their successors are elected and qualified. As used herein, the term "patrons" means the parents or guardians of children in attendance at the school. The following persons shall be disqualified from serving as a school trustee: (1) any person who is less than 21 years of age; (2) any person who is not a high school graduate; (3) any person who is not the parent or legal guardian of a child enrolled in the school for which he has been elected to serve as trustee. Any vacancy occurring in the office of school trustee shall be filled by appointment by the remaining trustees for the unexpired term.

Section 2. The provisions of Code of Alabama 1940, Title 52, Section 100, as amended, which conflict with this Act are hereby repealed as to Winston County.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

ELWOOD RUTLEDGE,
Senator 3rd District.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF WINSTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jay Thornton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Advertiser, a newspaper of general circulation published in Winston County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 6th, April 13th, April 20th, and April 27th, all in the year 1961.

JAY THORNTON.

Sworn to and subscribed before me May 1, 1961.

R. J. THORNTON,
Title Notary Public.

Also:

By Mr. Rutledge:

S. 23. To repeal Act No. 385, H. 730, approved September 4, 1957, entitled, "An Act relating to municipalities having a population of not less than 3,325 nor more than 3,350, according to the last or any subsequent federal decennial census; providing further for the public health and safety in such municipalities; prohibiting any person to build, maintain, or use a privy, or to own any building which does not have screened doors and windows, in such municipalities; and providing for the installation of water closets, septic tanks, and screens, and for the connection of such water closets with such septic tanks or the municipal sewerage system, by the municipality, and for the assessment of the cost thereof against the owner, in the event the owner fails to make such installation or connection, or to screen such doors and windows" (Acts of Alabama 1957, vol. I, p. 513).

Also:

By Mr. Robison:

S. 396. To provide for the proportion of contribution by counties and municipalities therein to the budget of a county health department in all counties in this State having a population exceeding 150,000, and not exceeding 300,000 inhabitants, according to the latest Federal Census, or which shall hereafter have such population, according to any such census that may hereafter be taken.

Also:

By Mr. Robison:

S. 397. To repeal Act No. 396, S. 550, approved August 16, 1949, entitled "To provide for the proportion of contribution by counties and incorporated municipalities therein to the budget of a county health department in all counties in this State having a population exceeding 100,000, and not exceeding 140,000 inhabitants, according to the latest Federal

Census, or which shall hereafter have such population, according to any such census that may hereafter be taken." (Acts of Alabama 1949, page 567).

Also:

By Mr. Porter:

S. 371. To apply in all counties of this State having a population of not less than 15,300 and not more than 15,400 according to the 1960 or any subsequent federal decennial census and to allow the Court of County Commissioners or other like governing body of such counties to fix and set aside, by resolution, certain days of the week for the closing of the offices in the courthouse of such counties.

Also:

By Mr. Clark:

S. 351. To repeal Act No. 255, S. 317, approved July 19, 1951 entitled "An Act To authorize the county governing body of any county having a population of not less than 28,000 and not more than 42,000 inhabitants according to the 1950 census, and two courthouses, and the county governing body of such county is a board of revenue, to provide compensation for a deputy sheriff in addition to the chief deputy provided by law" (Acts of Alabama 1950-1951, vol. I, p. 537).

Also:

By Mr. Clark:

S. 352. To amend further Section 257 of Title 13, Code of Alabama 1940, which fixes the compensation of deputy solicitors in certain counties.

Also:

By Mr. Clark:

S. 353. To repeal Act No. 256, S. 318, approved July 19, 1951, entitled "An Act Authorizing the governing body of any county having a population of not less than 28,000, and not more than 42,000 inhabitants and two courthouses, and the county governing body of such county is a board of revenue, to authorize the circuit clerk to appoint an additional deputy, whose salary shall be paid by the county." (Acts of Alabama 1950-1951, vol. I, p. 538).

Also:

By Mr. Clark:

S. 354. Authorizing the governing body of any county having a population of not less than 20,000, and not more than 25,000 inhabitants and two courthouses, and the county governing body of such county is a board of revenue, to authorize the circuit clerk to appoint an additional deputy, whose salary shall be paid by the county.

Also:

By Mr. Clark:

S. 355. To authorize the county governing body of any county having

a population of not less than 20,000 and not more than 25,000 inhabitants according to the 1960 census, and two courthouses, and the county governing body of such county is a board of revenue, to provide compensation for a deputy sheriff in addition to the chief deputy provided by law.

Also:

By Mr. Clark:

S. 356. To provide further for the compensation of the members of the county governing body in all counties having a population of not less than 24,600 nor more than 25,300, according to the last or any subsequent federal decennial census.

Also:

By Mr. Jones:

S. 359. To provide for payment of salaries of deputy sheriffs from the highway and traffic funds of all counties having populations of not less than 28,000 nor more than 30,550.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 6. Local Legislation No. 1.
- S. 7. Local Legislation No. 1.
- S. 9. Local Legislation No. 1.
- S. 12. Local Legislation No. 1.
- S. 13. Local Legislation No. 1.
- S. 14. Local Legislation No. 1.
- S. 15. Local Legislation No. 1.
- S. 17. Local Legislation No. 1.
- S. 18. Local Legislation No. 1.
- S. 197. Local Legislation No. 1.
- S. 198. Local Legislation No. 1.
- S. 23. Local Legislation No. 1.

- S. 396. Local Legislation No. 1.
- S. 397. Local Legislation No. 1.
- S. 371. Local Legislation No. 1.
- S. 351. Local Legislation No. 1.
- S. 352. Local Legislation No. 1.
- S. 353. Local Legislation No. 1.
- S. 354. Local Legislation No. 1.
- S. 355. Local Legislation No. 1.
- S. 356. Local Legislation No. 1.
- S. 359. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 960. To alter, rearrange, and extend the corporate limits of the City of Anniston in Calhoun County, from time to time, whenever the Board of Commissioners of the City of Anniston shall pass a resolution to the effect that the public good requires such alteration, rearrangement, and extension, and providing for an election to determine whether any such alteration, rearrangement, and extension of the corporate limits of the City of Anniston, Alabama, shall be made.

Also:

H. 961. To alter, rearrange, and extend the corporate limits of the City of Anniston in Calhoun County, Alabama, so as to annex certain territory to said City.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Mr. Andrews:

- 9. 402. For the relief of Henry Phillips.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bill, the title to which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 402. Ways and Means

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 256. To provide additional revenue for educational purposes in Choctaw County; authorizing the court of county commissioners, board of revenue, or like county governing body, to levy, when approved at a referendum election, special county privilege license and excise taxes paralleling, at lower rates, state sales and use taxes as provided for in Act No. 100, H. 94, approved August 18, 1959, and in Article 11 of Chapter 20, Title 51, Code of Alabama 1940, as heretofore amended and supplemented; providing for collection and enforcement of such taxes by the state department of revenue.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Phillips the House concurred in and adopted the Senate amendment to the bill, H. 256, said Senate amendment being as follows:

AMENDMENT TO H. 256:

On page 2, paragraph 3., after the words "machines" or "machine", insert "or machinery";

Also, on pages 2 and 3, paragraph b., after the words "machines" or "machine", insert "or machinery";

Also, on page 3, Section 4, strike out the first sentence thereof;

Also, on page 4, Section 5, line 1, after "registered seller" insert "regularly and continually";

Also, on page 5, in Section 9, line 6, strike out "two percent" and insert "three percent".

Yeas 73; Nays 0.

Yeas:

Mr. Speaker
Adams

Albea
Avery

Bailey
Bevill

Boyd
Brannan

Branyon	Glass	Locke	Reynolds (Madison)
Britton	Goodwyn	McClendon (Chambers)	Rogers
Broadfoot	Gordon	McCorquodale	Rozelle
Brooks	Grant	Martin	Salter
Cabiness	Grouby	Meade	Self
Callahan	Guthrie	Nettles	Sessions
Camp	Hain	Oakley	Shumate
Chambers	Hankins	Oden	Smith (Russell)
Cook	Hardy	Perry	Smith (St. Clair)
Copeland	Harris	Phillips	Speaks
Cornett	Harvey	Pierce	Steagall
Daniel	Ingram	Powell	Taylor
Dunn	Johnson (Hardaway)	Pruitt	Thomas
Engel	Johnston (Leonard)	Ramey	Torbert
Franklin	Jones (Covington)	Ray	Turner
Gilchrist	Lee	Reynolds (Chambers)	Vickers
Gilmer			

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 337. To fix the time of holding meetings of the court of county commissioners, board of revenue, or other like governing body in all counties having populations of not less than 51,000 nor more than 56,000.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Shumate the House concurred in and adopted the Senate amendment to the bill, H. 337, said Senate amendment being as follows:

AMENDMENT TO H. B. 337:

In section 1, fifth line, strike out the word "Monday" and insert the word "Wednesday".

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Cabiness	Franklin	Hankins
Adams	Callahan	Gilchrist	Hardy
Albea	Camp	Gilmer	Harris
Bailey	Cates	Glass	Harvey
Bevill	Chambers	Goodwyn	Hawkins
Boyd	Cook	Gordon	Hearn
Brannan	Copeland	Grant	Ingram
Branyon	Daniel	Gross	Johnson (Hardaway)
Britton	Dunn	Grouby	Johnston (Leonard)
Broadfoot	Engel	Guthrie	Jones (Covington)
Brooks	Ferguson	Hain	Lee

Locke	Oden	Rogers	Speaks
Long (Perry)	Perry	Rozelle	Steagall
McClendon (Chambers)	Phillips	Salter	Sullivan
McCorquodale	Pierce	Self	Taylor
Martin	Powell	Sessions	Thomas
Meade	Pruitt	Shumate	Torbert
Nettles	Ramey	Smith (Russell)	Trimmier
Nichols	Ray	Smith (St. Clair)	Turner
Oakley	Reynolds (Madison)	Solomon	Vickers

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BILLS ON THIRD READING SPECIAL ORDER

The House proceeded to the consideration of the special order.

H. 179 POSTPONED

On motion of Mr. Goodwyn, further consideration of the bill, H. 179, was postponed until the next legislative day.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Long (Perry) to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 194, was adopted.

And the bill:

H. 194. (with amendment). To amend further Code of Alabama 1940, Title 37, Section 264, in relation to the pledge of certain municipal revenues to payment of principal and interest on bonds.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

In the paragraph begininng "Section 264," on line two, after "general" and before "obligations" insert "or special."

And the amendment was adopted.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Brewer	Cates	Franklin
Adams	Britton	Chambers	Gilchrist
Albea	Broadfoot	Cook	Gilmer
Bailey	Brooks	Cornett	Glass
Bevill	Cabiness	Dickson	Goldthwaite
Boyd	Callahan	Dodd	Goodwyn
Brannan	Camp	Dunn	Gordon
Branyon	Casey	Ferguson	Gross

Guthrie	Locke	Pierce	Shumate
Hain	Long (Lauderdale)	Powell	Smith (Russell)
Hankins	Long (Perry)	Pruitt	Smith (St. Clair)
Hardy	McClendon (Chambers)	Ramey	Speaks
Harvey	McCorquodale	Rast	Steagall
Hawkins	McLendon (Bullock)	Ray	Sullivan
Hearn	Martin	Reynolds (Madison)	Taylor
Johnson (Hardaway)	Merrill	Roberts	Thomas
Johnson (J. T. Tom)	Morrow	Rogers	Torbert
Johnston (Leonard)	Murphy	Rozelle	Trimmier
Jones (Covington)	Oakley	Salter	Turner
Jones (Monroe)	Perry	Self	Vickers
Lee	Phillips	Sessions	

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And said bill, H. 194, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Dodd	Johnson (J. T. Tom)	Pruitt
Albea	Dunn	Johnston (Leonard)	Ramey
Bailey	Engel	Jones (Covington)	Rast
Bevill	Ferguson	Lee	Ray
Boyd	Franklin	Locke	Reynolds (Madison)
Brannan	Gilmer	Long (Perry)	Roberts
Branyon	Glass	McClendon (Chambers)	Rogers
Brewer	Goldthwaite	McCorquodale	Rozelle
Britton	Goodwyn	McLendon (Bullock)	Salter
Broadfoot	Gordon	Martin	Self
Brooks	Gross	Meade	Shumate
Cabiness	Grouby	Merrill	Smith (Russell)
Callahan	Guthrie	Morrow	Smith (St. Clair)
Camp	Hain	Murphy	Speaks
Casey	Hankins	Nettles	Steagall
Cates	Hardy	Oakley	Sullivan
Chambers	Harris	Oden	Taylor
Cook	Harvey	Owens	Thomas
Copeland	Hawkins	Perry	Torbert
Cornett	Hearn	Phillips	Trimmier
Daniel	Ingram	Pierce	Turner
Dickson	Johnson (Hardaway)	Powell	Vickers

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SPECIAL ORDER

The House again proceeded to the consideration of the special order.

H. 352 INDEFINITELY POSTPONED

On motion of Mr. Powell, the bill, H. 352, was indefinitely postponed.

H. 69, AS AMENDED, POSTPONED

On motion of Mr. Hain, further consideration of the bill, H. 69, as amended, was postponed until the next legislative day.

And the bill:

H. 76. (with amendment). To amend Section 2, Title 27, Code of Alabama 1940, which relates to the investigation by state department of pensions and security, or its duly authorized agents and the hearing of petition to adopt.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Public Welfare, said committee amendment being as follows:

Amend H. B. 76 by striking the following words as contained in Section 1:

If the report of the state department of pensions and security or its duly authorized agents, as provided herein, disapproves of the adoption of the child, motion may be made to the court to dismiss the petition. If the report of the department of pensions and security is unfavorable, the probate court shall transfer the case to the juvenile court for determination of custody of the child. If the juvenile court determines that the custody should be placed elsewhere than with the adoption petitioners, the probate court shall dismiss the adoption petition. If, however, the juvenile court determines that custody should be placed with the adoption petitioners, the case should be returned to the probate court which shall then issue the interlocutory order. No adoption petition shall be heard unless a report has been filed by the state department of pensions and security or its duly authorized agents.

and substitute in lieu thereof the following:

If the report of the state department of pensions and security or its duly authorized agents, as provided herein, disapproves of the adoption of of the child, motion may be made to the court to deny the petition. If the probate court denies the adoption petition, the probate court shall transfer the case to a court of competent jurisdiction for determination of custody of the child. No adoption petition shall be heard unless a report has been filed by the state department of pensions and security or its duly authorized agents. In the event a report is not filed within ninety (90) days from date of service of a copy of the petition for adoption petition the court may proceed to hear the petition without such report.

And the amendment was adopted.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Britton	Daniel	Gordon
Adams	Brooks	Dickson	Gross
Albea	Cabiness	Dunn	Grouby
Avery	Callahan	Edwards	Guthrie
Bailey	Camp	Ferguson	Hain
Barnett	Casey	Franklin	Hankins
Bishop	Cates	Gilmer	Hardy
Boyd	Cook	Glass	Harris
Branyon	Copeland	Goldthwaite	Harvey
Brewer	Cornett	Goodwyn	Hawkins

Hearn	Meade	Ramey	Smith (Russell)
Ingram	Merrill	Rast	Solomon
Johnson (Hardaway)	Nettles	Ray	Speaks
Johnson (J. T. Tom)	Nichols	Reynolds (Chambers)	Steagall
Johnston (Leonard)	Oakley	Reynolds (Madison)	Sullivan
Jones (Monroe)	Oden	Roberts	Taylor
Lee	Owens	Rogers	Thomas
Locke	Perry	Rozelle	Torbert
Long (Perry)	Phillips	Salter	Trimmier
McClendon (Chambers)	Pierce	Self	Turner
McCorquodale	Powell	Sessions	Turnham
McLendon (Bullock)	Pruitt	Shumate	Vickers

—88

And said bill, H. 76, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 3.

Yeas:

Mr. Speaker	Dunn	Johnson (Hardaway)	Reynolds (Chambers)
Adams	Edwards	Johnson (J. T. Tom)	Reynolds (Madison)
Albea	Ferguson	Johnston (Leonard)	Roberts
Bailey	Franklin	Jones (Covington)	Rogers
Barnett	Gilchrist	Lee	Rozelle
Bassett	Gilmer	Long (Perry)	Salter
Bevill	Glass	McClendon (Chambers)	Self
Bishop	Goldthwaite	McCorquodale	Sessions
Boyd	Goodwyn	McLendon (Bullock)	Shumate
Brewer	Gordon	Meade	Smith (Russell)
Britton	Grant	Merrill	Smith (St. Clair)
Brooks	Gross	Nettles	Solomon
Cabiness	Grouby	Nichols	Speaks
Callahan	Guthrie	Oakley	Steagall
Camp	Hain	Oden	Sullivan
Casey	Hankins	Owens	Taylor
Cates	Hardy	Phillips	Thomas
Cook	Harris	Pierce	Torbert
Copeland	Harvey	Powell	Trimmier
Cornett	Hawkins	Pruitt	Turner
Daniel	Hearn	Rast	Vickers
Dickson	Ingram	Ray	

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Nays:

Messrs:	Jones (Monroe)	Locke	Perry
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—3

And the bill:

H. 201. To provide for partial refund of the gasoline excise tax levied on aviation fuel pursuant to Section 647, Title 51, Code of Alabama 1940, as amended; to establish procedures and requirements governing the application for and payment of the aviation fuel refund; to fix certain penalties for violation of the terms of this Act and the rules and regulations established thereunder; and to declare the relationship of this Act to other provisions of Title 51, Code of Alabama 1940, as amended.

Was taken up.

The motion of Mr. Cornett to lay on the table the motion of Mr. Hankins to postpone further consideration of the bill, H. 201, until the next legislative day was lost.

Yeas 43; Nays 48.

Yeas:

Messrs:	Edwards	Harvey	Rast
Adams	Engel	Hawkins	Reynolds (Chambers)
Bailey	Ferguson	Lee	Reynolds (Madison)
Boyd	Franklin	Locke	Roberts
Brewer	Gilchrist	Merrill	Sessions
Cabiness	Gilmer	Morrow	Smith (Russell)
Cates	Goldthwaite	Murphy	Solomon
Copeland	Goodwyn	Nettles	Thomas
Cornett	Grant	Oakley	Torbert
Daniel	Hain	Perry	Trimmier
Dunn	Harvey	Pierce	Turner

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Nays:

Mr. Speaker	Cook	Jones (Covington)	Rogers
Albea	Dickson	Jones (Monroe)	Rozelle
Avery	Gross	Long (Lauderdale)	Salter
Barnett	Grouby	Long (Perry)	Self
Bassett	Guthrie	Martin	Shumate
Bevill	Hankins	Meade	Smith (St. Clair)
Bishop	Harris	Oden	Speaks
Branyon	Hearn	Owens	Steagall
Broadfoot	Ingram	Powell	Sullivan
Brooks	Johnson (Hardaway)	Pruitt	Taylor
Callahan	Johnson (J. T. Tom)	Ramey	Turnham
Casey	Johnston (Leonard)	Ray	Vickers

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And the motion of Mr. Hankins to postpone further consideration of the bill, H. 201, until the next legislative day was adopted.

Yeas 49; Nays 46.

Yeas:

Mr. Speaker	Cook	Johnson (J. T. Tom)	Ray
Albea	Dickson	Johnston (Leonard)	Rozelle
Avery	Dodd	Jones (Covington)	Salter
Barnett	Gordon	Jones (Monroe)	Self
Bassett	Gross	Long (Perry)	Shumate
Bevill	Grouby	Martin	Smith (St. Clair)
Bishop	Guthrie	Meade	Speaks
Boyd	Hankins	Oden	Steagall
Branyon	Harris	Owens	Sullivan
Broadfoot	Hearn	Powell	Taylor
Brooks	Ingram	Pruitt	Turnham
Callahan	Johnson (Hardaway)	Ramey	Vickers
Casey			

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Nays:

Messrs.	Engel	Lee	Reynolds (Chambers)
Adams	Ferguson	Locke	Reynolds (Madison)
Bailey	Franklin	McClendon (Chambers)	Roberts
Brewer	Gilchrist	Merrill	Rogers
Cabiness	Gilmer	Morrow	Sessions
Cates	Goldthwaite	Murphy	Smith (Russell)
Chambers	Goodwyn	Nettles	Solomon
Copeland	Grant	Nichols	Thomas
Cornett	Hain	Oakley	Torbert
Daniel	Hardy	Perry	Trimmier
Dunn	Harvey	Pierce	Turner
Edwards	Hawkins	Rast	

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And the bill:

H. 310. To amend Title 51, Section 385 (4), sub-paragraph 1, Code of Alabama, 1940, pertaining to optional deduction relative to income taxation of adjusted gross income not to exceed 10 per cent instead of 7 per cent.

Was taken up.

On motion of Mr. Pruitt the motion of Mr. Turnham to postpone further consideration of the bill, H. 310, until the twenty-fifth legislative day was laid upon the table.

Yeas 47; Nays 43.

Yeas:

Mr. Speaker	Ferguson	Hardy	Pruitt
Adams	Franklin	Hawkins	Rast
Barnett	Gilchrist	Ingram	Ray
Bassett	Gilmer	Johnson (Hardaway)	Shumate
Bevill	Goldthwaite	Lee	Smith (Russell)
Boyd	Goodwyn	McClendon (Chambers)	Speaks
Cabiness	Gordon	Merrill	Sullivan
Camp	Grant	Nichols	Taylor
Casey	Gross	Oden	Thomas
Cornett	Grouby	Perry	Turner
Edwards	Guthrie	Pierce	Vickers
Engel	Hain	Powell	

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Nays:

Messrs.	Cates	Johnson (J. T. Tom)	Reynolds (Madison)
Albea	Chambers	Johnston (Leonard)	Roberts
Avery	Cook	Jones (Covington)	Rogers
Bishop	Copeland	Jones (Monroe)	Rozelle
Brannan	Daniel	Locke	Salter
Branyon	Dickson	Martin	Self
Brewer	Dodd	Meade	Solomon
Britton	Dunn	Nettles	Steagall
Broadfoot	Hankins	Oakley	Torbert
Brooks	Harris	Owens	Trimmier
Callahan	Hearn	Phillips	Turnham

—48

The motion of Mr. Pruitt to lay on the table the motion of Mr. Turnham to postpone further consideration of the bill, H. 310, until the next legislative day was lost.

Yeas 38; Nays 56.

Yeas:

Mr. Speaker	Franklin	Lee	Rast
Adams	Gilchrist	McCorquodale	Ray
Bassett	Gilmer	Merrill	Sessions
Bevill	Goldthwaite	Nichols	Shumate
Boyd	Goodwyn	Oden	Smith (Russell)
Britton	Guthrie	Perry	Sullivan
Camp	Hain	Pierce	Thomas
Casey	Hardy	Powell	Turner
Cook	Ingram	Pruitt	Vickers
Cornett	Jones (Monroe)		

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Nays:

Messrs.	Copeland	Hearn	Owens
Albea	Daniel	Johnson (Hardaway)	Phillips
Avery	Dickson	Johnson (J. T. Tom)	Ramey
Bailey	Dodd	Johnston (Leonard)	Reynolds (Madison)
Barnett	Dunn	Jones (Covington)	Roberts
Bishop	Edwards	Locke	Rozelle
Brannan	Engel	Long (Lauderdale)	Salter
Branyon	Ferguson	Long (Perry)	Self
Brewer	Grant	McClendon (Chambers)	Solomon
Broadfoot	Gross	Martin	Speaks
Brooks	Hankins	Meade	Steagall
Cabiness	Harris	Morrow	Torbert
Callahan	Harvey	Nettles	Trimmier
Cates	Hawkins	Oakley	Turnham
Chambers			

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And the motion of Mr. Turnham to postpone further consideration of the bill, H. 310, until the next legislative day was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Archer:

S. 230. To repeal Act No. 499, S. 617 approved August 30, 1949, entitled "An Act Relating to all cities in the State of Alabama having a population of not less than 50,000 people nor more than 78,500 people, according to the last or any succeeding regular decennial Federal Census; providing for the name, number and designation of members of the governing body of all such cities; providing for the selection and employment of employees in all such cities and prescribing the authority of the governing body of such cities with respect to said employees; providing

for distribution of the powers and duties of and among the members of the governing body of each such city; providing the time when the provisions of this act shall become effective; and repealing all laws or parts of laws, general, local or special, in conflict with the provisions hereof." (Acts of Alabama 1949, p. 724).

Also:

By Mr. Archer:

S. 231. To repeal Act No. 500, S. 618, approved August 30, 1949 entitled "An Act Prescribing the compensation to be paid to members of the governing body in all cities in the State of Alabama having a population of not less than 50,000 people nor more than 78,500 people, according to the last or any succeeding regular decennial Federal Census, where such cities operate under the commission form of government; providing a method of payment of such compensation and providing the time when this Act shall become effective; and repealing all laws or parts of laws in conflict with the provisions hereof" (Acts of Alabama 1949, p. 725).

Also:

By Mr. Hines:

S. 294. Proposing an amendment to the Constitution of Alabama relative to the levying of a special tax on property for educational purposes in school district number one, Randolph County.

Also:

By Mr. Archer:

S. 233. To repeal Act No. 498, S. 616, approved August 30, 1949, entitled "An Act To provide for the name and number of members of the governing body of all cities in the State of Alabama having a population of not less than 50,000 people nor more than 78,500 people, according to the last or any succeeding regular decennial Federal Census; to provide for the designation of the members of the governing body of all such cities; to provide that in all primary and general elections for nomination or election of members of the governing body in such cities, each such position to be filled shall be designated separately and shall appear separately on all ballots in such elections; to provide that each candidate for nomination or election in such election shall designate the position to which he is seeking nomination or election; to provide the manner in which the names of candidates shall appear on ballots in such elections; and to repeal all laws or parts of laws, general, local or special, in conflict with the provisions hereof." (Acts of Alabama 1949, p. 723).

Also:

By Mr. Hines:

S. 315. To repeal Act No. 224, H. 585, approved July 23, 1953, entitled, "An Act to regulate the payment of compensation of fire wardens in counties having a population of not less than 19,000 nor more than 20,000 inhabitants, according to the last or any subsequent federal decennial census" (Acts of Alabama 1953, vol. I, p. 291).

Also:

By Mr. Hines:

S. 316. Relating to counties having populations of not less than 18,800 nor more than 19,500 inhabitants according to the last or any subsequent decennial census of the United States; providing for the disbursement of gasoline tax moneys received from the State on a county-wide basis under the direction of the county governing body and the supervision of the county engineer for the establishing, constructing, repairing and maintenance of county roads and bridges; powers and duties of the county engineer; designating the judge of probate, chairman of court of county commissioners, as purchasing agent for the county; regulating the purchase of supplies, materials, equipment and contractual services in such county; placing county commissioners on salary.

Also:

By Mr. Hines:

S. 317. To repeal Act No. 58, H. 276, approved June 18, 1959, an act relating to the compensation of members of the county board of education in certain counties classified on a population basis (Acts of Alabama 1959, vol. I, p. 463).

Also:

By Mr. Hines:

S. 318. To repeal Act No. 128, H. 490, approved July 8, 1955, an act relating to the disbursement of certain gasoline tax moneys received from the State for the establishment and maintenance of county roads and bridges in certain counties classified on a population basis (Acts of Alabama 1955, vol. I, p. 377).

Also:

By Mr. Hines:

S. 319. To repeal Act No. 53, H. 259, approved June 17, 1957, entitled, "An Act to apply in but only in counties having a population of not less than 19,200 inhabitants, nor more than 20,200, according to the last or any subsequent federal decennial census; authorizing the court of county commissioners, board of revenue or like governing body of such counties, by whatever name called or designated, to fix the compensation of deputies sheriff," (Acts of Alabama 1957, vol. I, p. 96).

Also:

By Mr. Hines:

S. 320. To repeal Act No. 415, H. 773, approved August 27, 1953 (Acts of 1953, vol. I, p. 516), which provides for the compensation of members of the jury commission in counties having a population of not less than 18,000 nor more than 20,250 inhabitants according to the 1950 or any subsequent decennial census.

Also:

By Mr. Hines:

S. 321. To repeal Act No. 242, H. 639, approved September 30, 1959, entitled "An Act regulating further the insuring of the property of public hospitals in all counties in this State having a population of not less than

19,200 nor more than 20,200, according to the last or any subsequent federal decennial census," (Acts of Alabama 1959, vol. I, p. 803).

Also:

By Mr. Hines:

S. 322. To regulate the compensation of members of the county board of education in counties having a population of not less than 18,800 nor more than 19,500 inhabitants according to the last or any subsequent federal decennial census.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 230. Local Legislation No. 1.

S. 231. Local Legislation No. 1.

S. 294. Was read a first time at length as required by the Constitution, and referred to the Standing Committee on Local Legislation No. 1.

S. 233. Local Legislation No. 1.

S. 315. Local Legislation No. 1.

S. 316. Local Legislation No. 1.

S. 317. Local Legislation No. 1.

S. 318. Local Legislation No. 1.

S. 319. Local Legislation No. 1.

S. 320. Local Legislation No. 1.

S. 321. Local Legislation No. 1.

S. 322. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 36. To alter, rearrange, and extend the boundary lines and corporate limits of the Town of Autaugaville, in Autauga County, Alabama.

Also:

H. 195. To amend Section 1 of Act No. 666, of the 1957 Regular Session of the Legislature of Alabama, approved September 20, 1957, relating to the salaries of the judges of Circuit Courts in certain judicial circuits composed of two counties, when the judge is required by law to hold at least two sessions of said court at two different places in any one county in any one year.

Also:

H. 210. Relating to Shelby County; providing further for the custody of county funds; to abolish the office of county treasurer and provide for the selection of a county depository in lieu thereof; to repeal Act No. 608, H. 973, approved September 30, 1919 (Local Acts of Alabama 1919, p. 231) and all acts amendatory thereof.

Also:

H. 211. To amend Act No. 479, H. 1079, approved November 19, 1959, an act establishing the Law and Equity Court for Shelby County, Alabama, in relation to the payment of solicitor fees and trial taxes.

Also:

H. 212. To fix the compensation of the members, other than the chairman, of the court of county commissioners, board of revenue, or like governing body, of all counties having a population of not less than 32,000 nor more than 33,000 inhabitants, according to the last or any subsequent decennial census of the United States; and to provide for the manner of payment of such compensation.

Also:

H. 214. To amend the title and Section 1 of Act No. 693, H. 1124, approved September 20, 1957 (Acts of Alabama 1957, vol. II, p. 1046), an act providing for the economic development of counties having populations of not less than 29,500 nor more than 30,500, according to the 1950 or any subsequent federal decennial census.

Also:

H. 216. To regulate the compensation of bailiffs for the grand jury and bailiffs actually serving in court in every county having a population of not less than 32,000 nor more than 33,000, according to the last or any subsequent decennial census of the population of the United States.

Also:

H. 217. Relating to counties having populations of not less than 32,000 nor more than 33,000 inhabitants according to the 1960 or any subsequent decennial census of the United States: Authorizing the governing body of every such county to provide the circuit clerk of the county an allowance for clerk hire.

Also:

H. 218. To authorize the payment from the county treasury of an expense allowance to the coroner in counties having a population of not less than 32,000 nor more than 33,000 inhabitants, according to the last or any subsequent federal decennial census.

Also:

H. 219. Relating to counties having a population of not less than 32,000 nor more than 33,000, according to the last or any subsequent federal decennial census; authorizing the court of county commissioners, board of revenue or like governing body of every such county to provide the circuit clerk of the county an allowance for clerk hire.

J. E. SPEIGHT,
Secretary.

BILLS ON THIRD READING RESUMED SPECIAL ORDER

The House again proceeded to the consideration of the special order.

And the bill:

H. 311. To further amend Title 51, Section 388, as amended, Code of Alabama, 1940, relating to personal exemptions from income taxation.

Was taken up.

The motion of Mr. Pruitt to lay on the table the motion of Mr. Reynolds (Chambers) to postpone further consideration of the bill, H. 311, until the next legislative day was lost.

Yeas 34; Nays 59.

Yeas:

Mr. Speaker	Copeland	Hardy	Pruitt
Adams	Dickson	Ingram	Rast
Bassett	Dunn	McLendon (Bullock)	Rogers
Boyd	Engel	Nichols	Smith (Russell)
Brannan	Franklin	Oakley	Steagall
Britton	Gilchrist	Oden	Sullivan
Brooks	Gilmer	Phillips	Turnham
Camp	Goodwyn	Powell	Vickers
Casey	Hain		

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Nays:

Messrs.	Brewer	Cornett	Grant
Albea	Broadfoot	Daniel	Gross
Bailey	Cabiness	Dodd	Grouby
Barnett	Callahan	Edwards	Guthrie
Bevill	Cates	Ferguson	Hankins
Bishop	Chambers	Glass	Harris
Branyon	Cook	Goldthwaite	Hawkins

Hearn	McClendon (Chambers)	Ramey	Smith (St. Clair)
Johnson (Hardaway)	McCorquodale	Reynolds (Chambers)	Solomon
Johnson (J. T. Tom)	Meade	Reynolds (Madison)	Speaks
Johnston (Leonard)	Merrill	Rozelle	Taylor
Jones (Covington)	Morrow	Salter	Thomas
Lee	Nettles	Self	Torbert
Long (Lauderdale)	Perry	Sessions	Trimmier
Long (Perry)	Pierce	Shumate	Turner

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And the motion of Mr. Reynolds (Chambers) to postpone further consideration of the bill, H. 311, until the next legislative day was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Rutledge:

S. 5. To repeal Act No. 165, H. 30, approved June 29, 1951, entitled, "An Act to provide additional clerks for the tax assessor and the tax collector in all counties having a population of not less than 47,000 nor more than 51,000 according to the most recent federal census, making the Act retroactive" (Acts of Alabama 1951, vol. 1, p. 403).

Also:

By Mr. Rutledge:

S. 8. To repeal Act No. 47, H. 61, approved April 8, 1955, entitled, "An Act to apply in all counties having a population of not less than 47,500 nor more than 52,500 inhabitants, according to the last or any subsequent federal decennial census; providing for the appointment of a deputy clerk of the circuit court of such counties; prescribing the duties, powers, and authority of such deputy, fixing his compensation and designating the method of payment and the fund which such compensation shall be paid" (Acts of Alabama 1955, vol. I, p. 157).

Also:

By Mr. Rutledge:

S. 10. To repeal Act No. 48, H. 62, approved April 8, 1955, entitled, "An Act to apply in all counties having a population of not less than 47,500 nor more than 52,500, according to the last or any subsequent federal decennial census; regulating further the office of county solicitor in such counties; imposing extra, new, and additional duties upon such officer, and providing further for his compensation," (Acts of Alabama 1955, vol. I, p. 158).

Also:

By Mr. Rutledge:

S. 11. To repeal Act No. 446, H. 935, approved November 13, 1959,

entitled, "An Act to provide for the compensation of the deputies or clerks of the tax assessors and tax collectors of all counties having a population of not less than 47,000 nor more than 51,000, according to the most recent federal decennial census" (Acts of Alabama 1959, vol. II, p. 1140).

Also:

By Mr. Rutledge:

S. 264. To prescribe certain rules of procedure, pleading, and practice relating to the joinder of parties and the rendition of judgment in certain courts in any county in the Twenty-fifth Judicial Circuit of Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

NOTICE is hereby given that a bill will be introduced in the Legislature of Alabama, at its regular session held in 1961, and application made for its passage, substantially as follows:

A BILL TO BE ENTITLED AN ACT

To prescribe certain rules of procedure, pleading, and practice relating to the joinder of parties and the rendition of judgment in certain courts in any county in the Twenty-fifth Judicial Circuit of Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. This act shall apply to and govern all suits, both in law and equity, hereafter filed in the following courts: (1) the Circuit Court of Marion County, Alabama; (2) the Circuit Court of Winston County, Alabama; (3) the Marion County Superior Court of Marion County, Alabama; (4) the Court of Law and Equity of Winston County, Alabama; (5) any other court of record which may hereafter be established by law in either Marion County or Winston County in lieu of either of said courts, or exercising concurrent jurisdiction, in whole or in part, either at law or in equity, with the circuit court of either of said counties. It shall not apply to or affect any case pending in any court on the date of its enactment. It shall not apply to the Probate Court of said counties, or either of them.

Section 2. It shall be proper and permissible to adjudicate and settle in a single suit, in so far as practicable, all issues, whether direct, indirect, remote, contingent, conditional, or collateral, arising out of the same transaction, occurrence, or event, or relating to the same subject matter. For this purpose, the plaintiff may, in addition to indispensable parties or necessary parties, join any of the following persons as defendants:

(a) Every person who will be adversely affected by the judgment, either directly, or indirectly, remotely, contingently, conditionally or collaterally, either as surety, guarantor, indemnitor, insurer, re-insurer, or otherwise, although such person may not be directly interested in or connected with the subject matter or object of the suit;

(b) Every person who by contract or otherwise, shall be directly, indirectly, remotely, contingently, conditionally, or collaterally liable to pay the judgment in the case, or any part thereof, either as surety, guarantor, indemnitor, insurer, re-insurer, or otherwise, although such person may not be directly interested in or connected with the subject matter or object of the suit;

(c) Every person who, by contract or otherwise, shall be directly, indirectly, remotely, contingently, conditionally, or collaterally liable to pay the judgment in the case, or any part thereof, either as surety, guarantor, indemnitor, insurer, re-insurer, or otherwise, and by reason of such direct, indirect, remote, contingent, conditional, or collateral liability, shall be entitled by contract or otherwise, to defend the suit, participate in the defense of the suit, control the proceedings, participate in the control of the proceedings, hire or designate defense counsel, participate in the employment or selection of defense counsel, or appeal from the judgment, whether or not such person is directly interested in or connected with the subject matter or object of the suit:

(d) Every person who, by contract or otherwise, shall have the right to defend the suit, participate in the defense of the suit, control the proceedings, hire or designate defense counsel, participate in the employment or selection of defense counsel, or appeal from the judgment, whether or not such person is directly interested in or connected with the subject matter or object of the suit.

Section 3. When any person who should or may join as plaintiff refuses to do so, he may be made a party defendant or, in a proper case, an involuntary plaintiff. In any cross-complaint, cross-bill, cross-petition, cross-suit, or cross-action, the cross-plaintiff, cross-complainant, or cross-petitioner may name as cross-defendants or cross-respondents any person or persons whom he might properly have named as defendants or respondents in an original complaint, bill, petition, suit, or action if he had been first to file his complaint, bill, petition, suit, or action in the matter.

Section 4. It shall be no objection, either to the pleadings, proceedings, or the rendition of judgment that the different defendants are liable for different amounts or that they are sued for different amounts, but judgment shall be rendered against the different defendants according to their respective liabilities.

Section 5. For the purposes of this act, unless the context indicates otherwise, the term "plaintiff" includes cross-plaintiff, complainant, cross-complainant, petitioner, and cross-petitioner; the term "defendant" includes cross-defendant, respondent, and cross-respondent; and the term "suit" includes every type and kind of action, cross-action, and cross-suit, both at law and in equity.

Section 6. Nothing in this act shall be construed to authorize the bringing of any suit in any county where it could not be properly brought except for the passage of this act.

Section 7. If any section, sentence, clause, or provision of this act shall be declared to be invalid or unconstitutional, it shall not affect the validity of any remaining section, sentence, clause, or provision hereof. If any specific application of any section, sentence, clause, or provision of this act shall be declared or held to be invalid or unconstitutional, such

declaration or holding shall not affect the validity of such section, sentence, clause, or provision, as to any other application which is not in and of itself invalid or unconstitutional.

Section 8. All laws and parts of laws in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 9. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF WINSTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jay Thornton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of THE ADVERTISER, a newspaper of general circulation published in Winston County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 6, April 13, April 20, and April 27, all in the year 1961.

JAY THORNTON.

Sworn to and subscribed before me 29th day of April, 1961.

R. J. THORNTON,
Title Notary Public.

LEGAL NOTICE

NOTICE is hereby given that a bill will be introduced in the Legislature of Alabama, at its regular session held in 1961, and application made for its passage, substantially as follows:

A BILL TO BE ENTITLED AN ACT

To prescribe certain rules of procedure, pleading, and practice relating to the joinder of parties and the rendition of judgment in certain courts in any county in the Twenty-fifth Judicial Circuit of Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. This act shall apply to and govern all suits, both in law and equity, hereafter filed in the following courts: (1) the Circuit Court of Marion County, Alabama; (2) the Circuit Court of Winston County, Alabama; (3) the Marion County Superior Court of Marion County, Alabama; (4) the Court of Law and Equity of Winston County, Alabama; (5) any other court of record which may hereafter be established by law in either Marion County or Winston County in lieu of either of said courts,

or exercising concurrent jurisdiction, in whole or in part, either at law or in equity, with the circuit court of either of said counties. It shall not apply to or affect any case pending in any court on the date of its enactment. It shall not apply to the Probate Court of said counties, or either of them.

Section 2. It shall be proper and permissible to adjudicate and settle in a single suit, in so far as practicable, all issues, whether direct, indirect, remote, contingent, conditional, or collateral, arising out of the same transaction, occurrence, or event, or relating to the same subject matter. For this purpose, the plaintiff may, in addition to indispensable parties or necessary parties, join any of the following persons as defendants:

(a) Every person who will be adversely affected by the judgment, either directly, or indirectly, remotely, contingently, conditionally or collaterally, either as surety, guarantor, indemnitor, insurer, re-insurer, or otherwise, although such person may not be directly interested in or connected with the subject matter or object of the suit;

(b) Every person who, by contract or otherwise, shall be directly, indirectly, remotely, contingently, conditionally, or collaterally liable to pay the judgment in the case, or any part thereof, either as surety, guarantor, indemnitor, insurer, re-insurer, or otherwise, although such person may not be directly interested in or connected with the subject matter or object of the suit;

(c) Every person who, by contract or otherwise, shall be directly, indirectly, remotely, contingently, conditionally, or collaterally liable to pay the judgment in the case, or any part thereof, either as surety, guarantor, indemnitor, insurer, re-insurer, or otherwise, and by reason of such direct, indirect, remote, contingent, conditional, or collateral liability, shall be entitled by contract or otherwise, to defend the suit, participate in the defense of the suit, control the proceedings, participate in the control of the proceedings, hire or designate defense counsel, participate in the employment or selection of defense counsel, or appeal from the judgment, whether or not such person is directly interested in or connected with the subject matter or object of the suit:

(d) Every person who, by contract or otherwise, shall have the right to defend the suit, participate in the defense of the suit, control the proceedings, hire or designate defense counsel, participate in the employment or selection of defense counsel, or appeal from the judgment, whether or not such person is directly interested in or connected with the subject matter or object of the suit.

Section 3. When any person who should or may join as plaintiff refuses to do so, he may be made a party defendant or, in a proper case, an involuntary plaintiff. In any cross-complaint, cross-bill, cross-petition, cross-suit, or cross-action, the cross-plaintiff, cross complainant, or cross-petitioner may name as cross-defendants or cross-respondents any person or persons whom he might properly have named as defendants or respondents in an original complaint, bill, petition, suit, or action if he had been first to file his complaint, bill, petition, suit, or action in the matter.

Section 4. It shall be no objection, either to the pleadings, proceedings, or the rendition of judgment that the different defendants are liable for

different amounts or that they are sued for different amounts, but judgment shall be rendered against the different defendants according to their respective liabilities.

Section 5. For the purposes of this act, unless the context indicates otherwise, the term "plaintiff" includes cross-plaintiff, complainant, cross-complainant, petitioner, and cross-petitioner; the term "defendant" includes cross-defendant, respondent, and cross-respondent; and the term "suit" includes every type and kind of action, cross-action, and cross-suit, both at law and in equity.

Section 6. Nothing in this act shall be construed to authorize the bringing of any suit in any county where it could not be properly brought except for the passage of this act.

Section 7. If any section, sentence, clause, or provision of this act shall be declared to be invalid or unconstitutional, it shall not affect the validity of any remaining section, sentence, clause, or provision hereof. If any specific application of any section, sentence, clause, or provision of this act shall be declared or held to be invalid or unconstitutional, such declaration or holding shall not affect the validity of such section, sentence, clause, or provision, as to any other application which is not in and of itself invalid or unconstitutional.

Section 8. All laws and parts of laws in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 9. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared Oscar Roden, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of The Marion County News-Winfield Journal, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 6, April 13, April 20, and April 27, all in the year 1961.

OSCAR RODEN.

Sworn to and subscribed before me April 28, 1961.

DOROTHY BLACK,
Title Notary Public.

Also:

By Mr. Rutledge:

S. 16. To repeal Act No. 139, H. 435, approved September 21, 1959,

entitled, "An Act to regulate the compensation of members of the county board of education in counties having a population of not less than 14,000 nor more than 16,000 inhabitants according to the 1950 federal decennial census" (Acts of Alabama 1959, vol. I, p. 660).

Also:

By Mr. Rutledge:

S. 19. To repeal Act No. 741, S. 670, approved September 5, 1951, entitled, "An Act to provide that in all counties having a population of not less than 13,500 nor more than 15,500, the Board of County Commissioners, Board of Revenue, or other like governing boards may designate one or more State or National Banks as the County Depository" (Acts of Alabama 1951, vol. II, p. 1293).

Also:

By Mr. Rutledge:

S. 20. To repeal Act No. 574, H. 580, approved August 30, 1951, entitled, "An Act relating to counties having populations of not less than fourteen nor more than sixteen thousand inhabitants according to the last or any subsequent federal census; authorizing the governing body of any such county to provide for the appointment by the sheriff of a deputy sheriff in addition to all other deputies provided by law" (Acts of Alabama 1951, vol. II, p. 1012).

Also:

By Mr. Rutledge:

S. 21. To repeal Act No. 423, H. 581, approved August 15, 1951, entitled, "An Act relating to counties having populations of not less than fourteen nor more than sixteen thousand inhabitants according to the last or any subsequent federal census; authorizing the governing body of any such county to provide for the employment of a deputy clerk in the office of the Clerk of the Circuit Court" (Acts of Alabama 1951, vol. I, p. 757).

Also:

By Mr. Rutledge:

S. 22. To repeal Act No. 644, H. 1098, approved September 20, 1957, entitled, "An Act to fix the compensation of the county solicitor, deputy solicitor, or deputy circuit solicitor, of all counties having a population of not less than twelve thousand five hundred nor more than fifteen thousand, according to the last or any subsequent federal decennial census" (Acts of Alabama 1957, vol. II, p. 975).

Also:

By Mr. Rutledge:

S. 24. To repeal Act No. 264, H. 548, approved August 16, 1957, entitled, "An Act to fix the compensation of the county solicitor, deputy solicitor, or deputy circuit solicitor of all counties having a population of not less than 14,000 nor more than 16,000, according to the last or any subsequent federal decennial census" (Acts of Alabama 1957, vol. I, p. 339).

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 5. Local Legislation No. 1.
- S. 8. Local Legislation No. 1.
- S. 10. Local Legislation No. 1.
- S. 11. Local Legislation No. 1.
- S. 264. Judiciary.
- S. 16. Local Legislation No. 1.
- S. 19. Local Legislation No. 1.
- S. 20. Local Legislation No. 1.
- S. 21. Local Legislation No. 1.
- S. 22. Local Legislation No. 1.
- S. 24. Local Legislation No. 1.

BILLS ON THIRD READING RESUMED

SPECIAL ORDER

The House again proceeded to the consideration of the special order:

And the bill:

H. 198. To further amend Title 29, Chapter 1, Section 5, Code of Alabama 1940, as amended, which relates to functions, duties and powers of Alabama Alcoholic Beverage Control Board.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Bevill	Britton	Cates
Adams	Bishop	Brooks	Chambers
Albea	Boyd	Cabiness	Cook
Avery	Brannan	Callahan	Copeland
Barnett	Branyon	Camp	Cornett
Bassett	Brewer	Casey	Daniel

Dickson	Hankins	Martin	Reynolds (Madison)
Dodd	Hardy	Meade	Rogers
Dunn	Harris	Merrill	Rozelle
Edwards	Harvey	Morrow	Self
Engel	Hawkins	Murphy	Sessions
Ferguson	Hearn	Nettles	Shumate
Franklin	Ingram	Nichols	Smith (Russell)
Gilchrist	Johnson (Hardaway)	Owens	Smith (St. Clair)
Gilmer	Johnson (J. T. Tom)	Perry	Solomon
Glass	Johnston (Leonard)	Phillips	Speaks
Goldthwaite	Jones (Covington)	Pierce	Steagall
Goodwyn	Jones (Monroe)	Powell	Sullivan
Gordon	Lee	Pruitt	Taylor
Grant	Locke	Ramey	Thomas
Gross	Long (Perry)	Rast	Turner
Grouby	McClendon (Chambers)	Ray	Turnham
Guthrie	McCorquodale	Reynolds (Chambers)	Vickers
Hain	McLendon (Bullock)		

—94

And the bill:

H. 849. Proposing an amendment to the Constitution of Alabama relative to the distribution of certain state funds among the several counties.

Was taken up.

Mr. Roberts offered the following substitute for the bill H. 849:

A BILL
TO BE ENTITLED
AN ACT

Proposing an amendment to the Constitution of Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is proposed, to become valid as a part of the Constitution when approved by a majority of the qualified electors voting thereon and upon proclamation by the Governor:

AMENDMENT

"Section 1. After the ratification of this amendment that portion of the revenue derived from the state excise tax on gasoline and other like motor fuels which is presently payable into the state treasury to the credit of the several counties and distributed equally among the 67 counties shall never be diverted by law to any other use or purpose; and also, after the ratification of this amendment minimum school program funds or school program equalization funds applied local school systems by the State of Alabama shall always be apportioned among the several county school systems, including independent city school systems, on a teacher unit basis determined in accordance with such regulations as the State Board of Education may prescribe.

"Section 2. The legislature may enact appropriate laws to implement or enforce Section 1 of this amendment.

"Section 3. (a) The state senate shall be composed of thirty-five (35) senators representing thirty-five (35) senatorial districts. Each district shall be entitled to one senator, and no more.

"(b) The state is hereby divided, as follows, into thirty-five (35) senatorial districts:

First District, the counties of Limestone and Lawrence;
Second District, the county of Morgan;
Third District, the counties of Cullman and Winston;
Fourth District, the county of Madison;
Fifth District, the counties of Jackson and Marshall;
Sixth District, the county of Etowah;
Seventh District, the county of Calhoun;
Eighth District, the county of Talladega;
Ninth District, the counties of Randolph and Chambers;
Tenth District, the counties of Elmore and Tallapoosa;
Eleventh District, the county of Tuscaloosa;
Twelfth District, the counties of Fayette, Lamar and Marion;
Thirteenth District, the county of Jefferson;
Fourteenth District, the counties of Pickens, Greene and Hale;
Fifteenth District, the counties of Autauga, Chilton and Shelby;
Sixteenth District, the counties of Lowndes, Wilcox and Monroe;
Seventeenth District, the counties of Butler, Conecuh and Covington;
Eighteenth District, the counties of Bibb and Perry;
Nineteenth District, the counties of Choctaw, Clarke and Washington;
Twentieth District, the counties of Marengo and Sumter;
Twenty-first District, the counties of Baldwin and Escambia;
Twenty-second District, the county of Lauderdale;
Twenty-third District, the counties of Dale and Geneva;
Twenty-fourth District, the counties of Barbour, Bullock and Macon;
Twenty-fifth District, the counties of Coffee, Crenshaw and Pike;
Twenty-sixth District, the counties of Blount and St. Clair;
Twenty-seventh District, the counties of Lee and Russell;
Twenty-eighth District, the county of Montgomery;
Twenty-ninth District, the counties of Cherokee and DeKalb;

Thirtieth District, the county of Dallas;

Thirty-first District, the counties of Colbert and Franklin;

Thirty-second District, the county of Walker;

Thirty-third District, the county of Mobile;

Thirty-fourth District, the counties of Clay, Cleburne and Coosa;

Thirty-fifth District, the counties of Henry and Houston.

"Provided, that in districts consisting of more than one county the senator shall not be elected for more than one term consecutively from any one county in the district, but shall reside in and be elected alternately and in turn from each of the counties within such district. The first senator to be elected in such districts shall reside in the county having the largest population, except where that county had the last preceding senator.

"(c). The senators provided for in this section shall be elected by the qualified electors of the several districts on the first Tuesday after the first Monday in November in the year 1962 and every fourth year thereafter.

"(Section 4. (a) The house of representatives of the legislature shall consist of one hundred and six members, apportioned among the several counties of the state as follows:

"The counties of Autauga, Barbour, Bibb, Blount, Bullock, Butler, Cherokee, Chilton, Choctaw, Clarke, Clay, Cleburne, Coffee, Conecuh, Coosa, Crenshaw, Dale, Elmore, Escambia, Fayette, Franklin, Geneva, Greene, Hale, Henry, Lamar, Lawrence, Lowndes, Macon, Marengo, Marion, Monroe, Perry, Pickens, Pike, Randolph, St. Clair, Shelby, Sumter, Tallapoosa, Washington, Wilcox and Winston shall each have and elect one representative; the counties of Baldwin, Chambers, Colbert, Covington, Cullman, Dallas, DeKalb, Houston, Jackson, Lauderdale, Lee, Limestone, Marshall, Morgan, Russell, Talladega, and Walker shall each have and elect two representatives; the counties of Calhoun, Etowah, Madison, and Tuscaloosa shall each have and elect three representatives; the county of Montgomery shall have and elect four representatives; the county of Mobile shall have and elect five representatives; the county of Jefferson shall have and elect eight representatives.

"(b) The representatives provided for in this section shall be elected by the qualified electors of the several counties on the first Tuesday after the first Monday in November in the year 1962 and every fourth year thereafter. Except in Jefferson County, the places to be filled shall be designated by numbers and every candidate for a place shall designate in his announcement the number of the place for which he is a candidate. The terms of office of representatives shall commence on the day after the general election at which they are elected, and expire on the day after the general election held in the fourth year after their election, except as otherwise provided in the Constitution."

Section 2. An election upon the proposed amendment is ordered to be held on the first Tuesday after the expiration of three months from final adjournment of the current session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of

the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17 of the Code of Alabama 1940.

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the State. In every county in which no newspaper is published, a copy of the notice shall be posted at each courthouse and post office.

POINT OF ORDER

Mr. Boyd raised the point of order that the substitute offered by Mr. Roberts was not germane to the bill, H. 849.

The Chair ruled that the substitute was in order and was germane to the bill, H. 849.

MOTION TO ADJOURN LOST

The motion of Mr. Taylor that the House adjourn until Tuesday, August 1, 1961, at twelve o'clock, noon, was lost.

Yeas 23; Nays 69.

Yeas:

Messrs.	Gordon	Martin	Ray
Brannan	Grant	Nettles	Rogers
Cabiness	Guthrie	Oden	Sullivan
Chambers	Hain	Phillips	Taylor
Copeland	Hardy	Powell	Trimmier
Daniel	Johnston (Leonard)	Ramey	Turnham

—23

Nays:

Mr. Speaker	Dickson	Ingram	Pruitt
Adams	Dodd	Johnson (J. T. Tom)	Rast
Albea	Dunn	Jones (Covington)	Reynolds (Chambers)
Barnett	Edwards	Jones (Monroe)	Reynolds (Madison)
Bassett	Ferguson	Lee	Roberts
Bevill	Franklin	Long (Lauderdale)	Rozelle
Bishop	Gilchrist	McClendon (Chambers)	Self
Boyd	Gilmer	McCorquodale	Sessions
Branyon	Goldthwaite	McLendon (Gulick)	Shumate
Brewer	Goodwyn	Meade	Smith (Russell)
Broadfoot	Gross	Merrill	Smith (St. Clair)
Brooks	Grouby	Morrow	Solomon
Callahan	Hankins	Murphy	Speaks
Camp	Harris	Nichols	Steagall
Casey	Harvey	Oakley	Thomas
Cates	Hawkins	Perry	Turner
Cook	Hearn	Pierce	Vickers
Cornett			

—69

CONSIDERATION OF H. 849 RESUMED

H. 849. Proposing an amendment to the Constitution of Alabama relative to the distribution of certain state funds among the several counties.

Was again taken up.

The motion of Mr. Thomas to postpone further consideration of the bill, H. 849, and pending substitute, until the thirtieth legislative day was lost.

Yeas 39; Nays 55.

Yeas:

Messrs.	Daniel	Ingram	Ramey
Avery	Dickson	Johnson (Hardaway)	Rozelle
Bailey	Gilmer	Johnson (J. T. Tom)	Solomon
Barnett	Glass	McClendon (Chambers)	Speaks
Brannan	Goldthwaite	McLendon (Bullock)	Steagall
Britton	Goodwyn	Martin	Sullivan
Brooks	Grant	Meade	Taylor
Casey	Hain	Owens	Thomas
Chambers	Harvey	Pierce	Trimmier
Cook	Hawkins	Powell	Turnham

—39

Nays:

Mr. Speaker	Copeland	Hearn	Perry
Adams	Cornett	Johnston (Leonard)	Phillips
Albea	Dodd	Jones (Covington)	Pruitt
Bassett	Dunn	Jones (Monroe)	Rast
Bevill	Edwards	Lee	Ray
Bishop	Ferguson	Locke	Reynolds (Madison)
Boyd	Franklin	Long (Lauderdale)	Rogers
Branyon	Gilchrist	McCorquodale	Self
Brewer	Gordon	Morrow	Sessions
Broadfoot	Gross	Murphy	Shumate
Cabiness	Grouby	Nettles	Smith (Russell)
Callahan	Guthrie	Nichols	Smith (St. Clair)
Camp	Hankins	Oakley	Turner
Cates	Harris	Oden	

—55

The motion of Mr. Boyd to lay on the table the substitute offered by Mr. Roberts was lost.

Yeas 41; Nays 58.

Yeas:

Messrs.	Brannan	Gilmer	Johnson (J. T. Tom)
Adams	Britton	Glass	Johnston (Leonard)
Avery	Brooks	Grant	Jones (Monroe)
Barnett	Daniel	Hain	Lee
Bassett	Dickson	Hardy	Long (Perry)
Boyd	Dunn	Harvey	McClendon (Chambers)

McCorquodale
McLendon (Bullock)
Martin
Nettles
Oakley

Owens
Phillips
Pierce
Powell
Pruitt

Ramey
Rogers
Salter
Sullivan

Taylor
Thomas
Turnham
Vickers

—41

Nays:

Mr. Speaker
Albea
Bailey
Bevill
Bishop
Branyon
Brewer
Broadfoot
Cabiness
Camp
Casey
Cates
Chambers
Cook
Copeland

Dodd
Edwards
Ferguson
Franklin
Gilchrist
Goldthwaite
Goodwyn
Gordon
Gross
Grouby
Guthrie
Hankins
Harris
Hawkins
Hearn

Ingram
Johnson (Hardaway)
Jones (Covington)
Locke
Long (Lauderdale)
Meade
Merrill
Morrow
Murphy
Nichols
Oden
Perry
Rast
Ray

Reynolds (Madison)
Roberts
Rozelle
Self
Sessions
Shumate
Smith (Russell)
Smith (St. Clair)
Solomon
Speaks
Steagall
Torbert
Trimmier
Turner

—58

And the question was on the adoption of the substitute offered by Mr. Roberts, and said substitute was read at length and adopted.

Yeas 58; Nays 43.

Yeas:

Mr. Speaker
Adams
Albea
Bailey
Bevill
Bishop
Brewer
Broadfoot
Cabiness
Camp
Casey
Cates
Chambers
Cook
Copeland

Dodd
Edwards
Ferguson
Franklin
Gilchrist
Goldthwaite
Goodwyn
Gordon
Gross
Grouby
Guthrie
Hankins
Harris
Hawkins
Hearn

Ingram
Johnson (Hardaway)
Jones (Covington)
Locke
Long (Lauderdale)
Meade
Merrill
Morrow
Murphy
Nichols
Oden
Perry
Rast
Ray

Reynolds (Madison)
Roberts
Rozelle
Self
Sessions
Shumate
Smith (Russell)
Smith (St. Clair)
Solomon
Speaks
Steagall
Torbert
Trimmier
Turner

—58

Nays:

Messrs.
Avery
Barnett
Bassett
Boyd
Brannan
Branyon

Britton
Brooks
Cornett
Daniel
Dickson
Dunn
Gilmer

Glass
Grant
Hain
Hardy
Harvey
Johnson (J. T. Tom)
Johnston (Leonard)

Jones (Monroe)
Lee
Long (Perry)
McClendon (Chambers)
McCorquodale
McLendon (Bullock)
Martin

Nettles
Oakley
Owens
Phillips

Pierce
Powell
Pruitt
Ramey

Reynolds (Chambers)
Rogers
Salter
Sullivan

Taylor
Thomas
Turnham
Vickers

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CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bills and House Joint Resolution herein-after mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 11:15 A.M. On July 28, 1961

H. 482	H. 364	H. 397	H. 511
H. 483	H. 365	H. 396	H. 512
H. J. R. 72	H. 368	H. 243	H. 513
H. 148	H. 384	H. 151	H. 429
H. 740	H. 385	H. 652	H. 515
H. 98	H. 386	H. 401	H. 576
H. 48	H. 388	H. 402	H. 578
H. 49	H. 389	H. 403	H. 579
H. 50	H. 390	H. 404	H. 580
H. 51	H. 391	H. 405	H. 581
H. 54	H. 392	H. 406	H. 582
H. 89	H. 393	H. 407	H. 583
H. 120	H. 394	H. 408	H. 584
H. 121	H. 395	H. 409	H. 585
H. 122	H. 955	H. 410	H. 586
H. 130	H. 414	H. 411	H. 587
H. 131	H. 415	H. 412	H. 588
H. 132	H. 416	H. 413	H. 589
H. 133	H. 417	H. 164	H. 590
H. 134	H. 424	H. 166	H. 599
H. 135	H. 440	H. 165	H. 600
H. 141	H. 441	H. 167	H. 601
H. 142	H. 442	H. 225	H. 603
H. 143	H. 443	H. 226	H. 605
H. 101	H. 446	H. 253	H. 573

H. 100	H. 447	H. 254
H. 108	H. 463	H. 274
H. 116	H. 476	H. 275
H. 117	H. 487	H. 313
H. 118	H. 492	H. 315
H. 152	H. 494	H. 316
H. 153	H. 495	H. 318
H. 336	H. 496	H. 314
H. 338	H. 497	H. 325
H. 339	H. 58	H. 326
H. 340	H. 378	H. 330
H. 342	H. 55	H. 331
H. 343	H. 400	H. 333
H. 344	H. 399	H. 335
H. 345	H. 398	H. 56

Delivered to the Secretary of State at 11.26 A.M. On July 28, 1961

H. 732

H. 490

H. 255

H. 565

OAKLEY MELTON, JR.,
Clerk.

ADJOURNMENT

On motion of Mr. Brewer the House adjourned until Tuesday, August 1, 1961, at twelve o'clock, noon.

Yeas 52; Nays 48.

Yeas:

Mr. Speaker	Ferguson	Johnston (Leonard)	Ray
Albea	Franklin	Jones (Covington)	Reynolds (Chambers)
Bailey	Gilchrist	Locke	Reynolds (Madison)
Bevill	Goodwyn	Long (Lauderdale)	Roberts
Bishop	Gordon	McClendon (Chambers)	Rogers
Brewer	Gross	Meade	Rozelle
Broadfoot	Grouby	Merrill	Self
Cabiness	Guthrie	Morrow	Sessions
Camp	Hankins	Murphy	Shumate
Casey	Harris	Nichols	Smith (St. Clair)
Cook	Hearn	Oden	Steagall
Copeland	Johnson (Hardaway)	Perry	Turner
Dodd	Johnson (J. T. Tom)	Rast	Vickers

Nays:

Messrs.	Cornett	Ingram	Powell
Adams	Daniel	Jones (<i>Monroe</i>)	Ramey
Avery	Dickson	Lee	Salter
Barnett	Dunn	Long (<i>Perry</i>)	Smith (<i>Russell</i>)
Bassett	Edwards	McCorquodale	Solomon
Boyd	Gilmer	McLendon (<i>Bullock</i>)	Speaks
Brannan	Glass	Martin	Sullivan
Branyon	Grant	Nettles	Taylor
Britton	Hain	Oakley	Thomas
Brooks	Hardy	Owens	Torbert
Callahan	Harvey	Phillips	Trimmier
Cates	Hawkins	Pierce	Turnham
Chambers			

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 TWENTY-FOURTH DAY

House of Representatives
 Montgomery, Alabama
 Tuesday, August 1, 1961

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend R. Leland Tindle,
 Pastor, First Baptist Church, Fort Payne, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to
 their names:

Mr. Speaker	Britton	Dickson	Gordon
Adams	Broadfoot	Dodd	Grant
Albea	Brooks	Dunn	Gross
Avery	Cabiness	Edwards	Grouby
Bailey	Callahan	Engle	Guthrie
Barnett	Camp	Faulk	Hain
Bassett	Casey	Ferguson	Hanby
Bevill	Cates	Franklin	Hankins
Bishop	Chambers	Gilchrist	Hardy
Boyd	Cook	Gilmer	Harris
Brannan	Copeland	Glass	Harvey
Branyon	Cornett	Goldthwaite	Hawkins
Brewer	Daniel	Goodwyn	Hearn

Ingram	Martin	Powell	Smith (Russell)
Jenkins	Meade	Pruitt	Smith (St. Clair)
Johnson (Hardaway)	Merrill	Ramey	Solomon
Johnson (J. T. Tom)	Morrow	Rast	Speaks
Johnston (Leonard)	Murphy	Ray	Steagall
Jones (Covington)	Nettles	Reynolds (Madison)	Sullivan
Lee	Nichols	Roberts	Taylor
Locke	Oakley	Rogers	Thomas
Long (Lauderdale)	Oden	Rozelle	Torbert
Long (Perry)	Owens	Salter	Trimmier
McClendon (Chambers)	Perry	Self	Turner
McCorquodale	Phillips	Sessions	Turnham
McLendon (Bullock)	Pierce	Shumate	Vickers

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A quorum was present.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Oakley to suspend the rules in order to introduce a resolution out of order was adopted.

RESOLUTION

The following resolution was introduced:

By Messrs. Oakley, McCorquodale, Dunn and Nettles:

H. J. R. 74. WHEREAS Mrs. Minnie Jones Griffin Tucker passed away on Monday, July 31, 1961; and

WHEREAS, Mrs. Tucker was a sister of our distinguished colleague, Representative Ralph Jones of Monroe County, and was also the Aunt of Justice Pelham Merrill of the Supreme Court of Alabama; now, therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that we do hereby express our profound sympathy to Representative Jones and Judge Merrill and all the other members of the family in the passing of Mrs. Tucker.

On motion of Mr. Oakley the rules were suspended and H. J. R. 74 was adopted.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Callahan to suspend the rules in order to introduce a resolution out of order was adopted.

RESOLUTION

The following resolution was introduced:

By Mr. Callahan:

H. J. R. 75. WHEREAS, Dr. Minnie C. Miles, an associate professor of management in the School of Commerce and Business Administration at the University of Alabama, was elected first vice president of the National

Federation of Business and Professional Women's Clubs, on July 25, 1961, in Chicago, Illinois, and WHEREAS,

Dr. Miles was elected to office over protest candidate, Mrs. Isabella Jones of Pittsburgh, Pennsylvania, winning by a margin of nearly one thousand votes, following a picketing of the meeting by members of the N.A.A.C.P. protesting the group's keynote speaker, Governor Orville Faubus of Arkansas, and WHEREAS,

Dr. Miles served as president of the Tuscaloosa B. P. W. Club and was leader of the Alabama B. P. W. Federation two terms before holding national offices. On the national level, she has served two years as program chairman, two years as third vice president and during the past year has held the office of second vice president, and WHEREAS,

Dr. Miles has traveled extensively working with the state, national, and international groups, doing good to her fellow man and bringing honor and good will to Alabama and the Nation, and is well on her way toward becoming National President, and WHEREAS,

Dr. Miles is a native of Marion County, Alabama,

NOW THEREFORE BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING: That we do congratulate Dr. Miles most heartily and wish her every success in her new position with the National Federation of Business and Professional Women, and that we heartily approve of the good work that she has done and is doing.

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded by the Clerk of the House to the National Federation of B. P. W., a copy be forwarded to the Tuscaloosa B. P. W. Club, and a copy be forwarded to Dr. Miles.

On motion of Mr. Callahan the rules were suspended and H. J. R. 75 was adopted.

REMARKS BY REPRESENTATIVE GRADY ROGERS

Mr. Torbert requested that the following remarks which were made to the House of Representatives by Representative Grady Rogers on February 11, 1959, be inserted in the Journal, and the request was granted and the following ordered inserted in the Journal.

Mr. Speaker, and members of the House—I was a member of the Macon County Board of Registrars for almost eight years. All the good people over there tell me I did a pretty good job. Now, if I may be penalized for doing a good job, if I may be penalized for doing my duty, if I may be penalized for having been just and fair to all men, when I pay that penalty, I will return among you head still not bowed, heart not dismayed. Whatever may happen to Grady Rogers is of no consequence—but what is happening to this State and to this Nation is of gravest concern. I suppose that most of you, I suppose that all of you, have learned of the incident which occurred in this Chamber last Friday morning. There can be no further doubt about it, the Gestapo are among us, the inquisitors

are in our midst, the MVD no longer are snooping in the shadows, but with arrogance born of their new found power, with scant respect for law, with no regard for sacred tradition, they stride among us in the broad light of day. The vultures of tyranny fly low about our heads with beady eyes and greedy beaks seeking to rend us limb from limb and flesh from bone. I believe it was Thomas Jefferson who said "eternal vigilance is the price of liberty".

Mr. Speaker, and members of the House, you and I have not been vigilant; you and I have failed to pay that price. We have allowed our liberties and our freedoms to slip one by one from loose and careless hands. I think it was John Milton who wrote "Paradise Lost". Years later the same John Milton wrote a far greater book and the name of this book is "Paradise Regained".

Mr. Speaker, and members of this House, you and I, to our shame and sorrow, have also written a book. You will not find this book inscribed upon parchment nor will you find it upon a printed page. We have written this book upon the hearts and minds of our confused and bewildered people; and herein lies our shame and herein lies our sorrows; for the name of the book that we have written is "Liberties and Freedoms Lost". But, like John Milton of old, we shall write another chapter; we shall write yet another book; an eternal book and the name of this book shall be "Liberties and Freedoms Regained", and once regained, we must press them to our bosoms and not let go of them forever.

The monster of dictatorship has reared its ugly head in our land. If there is no one who dares slay this monster, there is no hope for this Nation. There is descending upon us and surrounding us round and about, a black curtain and even now as I speak to you, this black curtain is smothering and destroying those things we hold dear in life. A black curtain fabricated from black lies, spewed from the black lips of men and women with black hearts. But in all fairness, I must say to you, I am compelled to say to you, that not all these black lies are being spewed from black lips and black hearts of men and women with black faces; indeed the most insidious and most damnable, the most powerful of these black lies are being spewed from the black lips and the black hearts of men and women who wear white faces. To me, these lies, these lips, these hearts, yes and these faces though they be white they are the blackest of all. We must, we can, and we shall find a way to rend asunder and trample down this black curtain that is smothering us or our very homes will be our sanctuaries no more. I speak but the truth. If there be even one among us who disputes this, and may God forbid, he is a knave or he is a stupid fool. This struggle in which we find ourselves engaged will not be short—victory not easy, for the forces arrayed against us are legion, and these forces have already brainwashed the minds and poisoned the hearts of men and women in high places in this nation; even including those nine most powerful men on the face of the earth, those nine men who have ravished the Ark of the Covenant, those nine men who have raped and prostituted our Constitution, those nine arch thieves of all time and all ages, the Supreme Court of the United States. So, we can easily see that the future promises but toil and sweat, so let us pray, let us earnestly pray to Almighty God that there be no blood, that there be no tears; but if there must be blood, if there must be tears, let the burden be not upon our shoulders but let the burden rest upon the shoulders of those who would destroy us. If we are to win this struggle, we must give our time, we must give of our strength, we must give of our minds, we must give of our hearts and above all, we must give of our means, and we must give and

give until it hurts, and if need be, give again and hurt some more. If we fail to do this, may God have mercy upon us; our enemies will not. So let us gird our loins for the fray, let us dedicate our very selves to this holy cause. To paraphrase a great educator from the Alabama Polytechnic Institute of long ago—"Let us take this dedication home with us, let us write it upon our hearts, let us make it a motto of our lives". If this we do, they shall not pass, if this we do not, perdition is ours. Let us cleanse our hearts of all hatreds, let us cleanse our hearts of all malice, let us purge our hearts of all weakness and fear; for in this struggle we may expect from our enemies no quarter, we must be prepared to grant no quarter.

Mr. Speaker, and members of this House, I know not what course you may choose, but as for me, I shall resist, I shall resist and I shall continue to resist these evil things with any means and every means at my command so long as I shall live; and I hope and I trust that each of you, that every single one of you may see fit to join hands with me in this resistance until victory is ours or until death is ours, for to me life without victory over these grave matters will no longer be worthwhile.

UNFINISHED BUSINESS

The House proceeded to the consideration of the Unfinished Business.

And the bill:

H. 849. Proposing an amendment to the Constitution of Alabama relative to the distribution of certain state funds among the several counties.

As amended, was again taken up.

On motion of Mr. Roberts the bill, H. 849, as amended, was read a second time at length as required by the Constitution.

Mr. Roberts moved to postpone further consideration of the bill, H. 849, as amended, until the next legislative day without losing its place on the Special Order.

Mr. Boyd raised a point or order that on the last legislative day the Chair had ruled that the substitute offered by Mr. Roberts was germane to the bill, H. 849, and that, therefore, the bill, H. 849, had already received two readings and should now receive its third reading and be voted on by the House.

Mr. Taylor offered as a substitute for the motion of Mr. Roberts, a motion to postpone further consideration of the bill, H. 849, as amended, until the thirty-sixth legislative day.

Mr. Torbert raised the point of order that the substitute motion of Mr. Taylor was out of order.

The Chair ruled that since the substitute offered by Mr. Roberts to the bill, H. 849, was a proposed constitutional amendment and had only been read in the House on two days that it would be carried over until the next legislative day at which time it would be read a third time at length and thereafter voted on by the House.

MOTION TO RECESS LOST

The motion of Mr. Solomon that the House recess from 1:00 o'clock this afternoon until 2:00 o'clock this afternoon was lost.

Yeas 40; Nays 55.

Yeas:

Messrs.	Daniel	Lee	Powell
Adams	Dickson	Long (Perry)	Ramey
Albea	Engel	Martin	Ray
Bailey	Franklin	Meade	Rogers
Boyd	Gilchrist	Merrill	Salter
Broadfoot	Goldthwaite	Murphy	Smith (Russell)
Brooks	Goodwyn	Nettles	Solomon
Cabiness	Grant	Oakley	Thomas
Casey	Grouby	Oden	Torbert
Chambers	Jones (Covington)	Pierce	Trimmier
Cornett			

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Nays:

Mr. Speaker	Dodd	Hearn	Reynolds (Madison)
Avery	Faulk	Ingram	Roberts
Barnett	Ferguson	Jenkins	Rozelle
Bevill	Gilmer	Johnson (Hardaway)	Self
Bishop	Glass	Johnston (Leonard)	Sessions
Brannan	Gordon	Locke	Shumate
Branyon	Gross	Long (Lauderdale)	Smith (St. Clair)
Brewer	Guthrie	McCorquodale	Speaks
Britton	Hain	McLendon (Bullock)	Steagall
Callahan	Hanby	Morrow	Sullivan
Camp	Hankins	Nichols	Taylor
Cates	Harris	Perry	Turner
Cook	Harvey	Phillips	Vickers
Copeland	Hawkins	Rast	

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 380. Relating to counties having a population of not less than 16,150 nor more than 17,250 inhabitants; to authorize county governing bodies to provide for payment of expenses of certain county officers.

Also:

H. 262. To repeal Act No. 214, S. 169, approved July 21, 1953 (Acts of Alabama 1953, page 281) entitled "An Act Relating to cities having a population of not less than 10,000 nor more than 12,000 inhabitants, according to the 1950 or any subsequent decennial census of the population of the United States; changing the time and method of electing and fixing the term of office of members of the board of commissioners of any such city."

Also:

H. 514. To regulate further the feeding of prisoners in jail in all counties having a population of not less than 16,150 nor more than 17,350, according to the last or any subsequent federal decennial census.

Also:

H. 569. To amend further Section 30½ of Act No. 653, H. 489, approved September 20, 1957, regulating the practice of cosmetology (Acts of Alabama 1957, vol. II, p. 981).

Also:

H. 592. To impose extra, new, and additional duties upon the members of the county governing body of any county of the State having a population of not less than thirty thousand five hundred fifty (30,550) nor more than thirty-one thousand (31,000) inhabitants; to provide additional compensation for the performance of such duties; and to provide for the payment of the same.

Also:

H. 593. To amend Act No. 409, H. 809, Regular Session 1955, which relates to the furnishing of equipment, supplies, and additional clerks to the tax assessors and tax collectors of certain counties classified according to population.

Also:

H. 594. To repeal Act No. 814, S. 672, approved September 11, 1951, entitled, "An Act to impose extra, new, and additional duties upon the members of the county governing body of any county of the State having a population of not less than thirty thousand (30,000) nor more than thirty-three thousand five hundred (33,500) inhabitants; to provide additional compensation for the performance of such duties; and to provide for the payment of the same" (Acts of Alabama 1951, vol. II, p. 1447).

Also:

H. 602. To authorize the Court of County Commissioners of Pike County to provide a clerk of the Juvenile Court of said County, to be appointed by and to hold office at the pleasure of the Judge of said court, and to provide for the duties and compensation of such clerk.

Also:

H. 516. To repeal Act No. 53, H. 70, approved April 8, 1955, an act relating to the covering of certain employees of certain counties classified on a population basis under the Workman's Compensation Act (Acts of Alabama 1955, vol. I, p. 163).

Also:

H. 518. To repeal Act No. 712, H. 1144, and Act No. 731, S. 534, both of which acts were approved September 20, 1957, and relate to the incorporation of airport authorities as public corporations in the same

certain counties classified on a population basis (Acts of Alabama 1957, vol. II, pp. 1094 and 1138, respectively).

Also:

H. 520. To repeal Act No. 718, H. 1052, approved September 5, 1951, an act fixing the salaries of the chairman and associate members of the civil service boards of certain counties classified on a population basis (Acts of Alabama 1950-1951, vol. II, p. 1259).

Also:

H. 521. Relating to counties having a population of not less than 100,000 nor more than 115,000 inhabitants; fixing the salaries of chairman and associate members of the civil service boards of such counties.

Also:

H. 522. To repeal Act No. 225, H. 735, approved August 8, 1955, an Act regulating further the fees and costs entitled to registers in certain cases relating to domestic relations in certain counties classified on a population basis (Acts of Alabama 1955, vol. I, p. 534).

Also:

H. 519. To authorize and make provision for the incorporation, in any county of the State of Alabama having a population of not less than 100,000 nor more than 115,000 according to the last or any subsequent federal decennial census, of an authority as a public corporation for the purpose of acquiring, constructing, enlarging, equipping, improving, maintaining, developing and operating airports, heliports, airport buildings and facilities and of constructing, acquiring, establishing, improving, extending, enlarging, reconstructing, equipping, maintaining, repairing and operating building, structures and facilities suitable for use as retail shopping areas or centers, parks, exhibits, exhibitions or for the conduct of any lawful business, at, upon, or adjacent to any airport, heliport or aircraft landing area owned or operated by such authority and leasing or letting such buildings, structures or facilities; to provide for the election of the directors and officers of such authority; to specify its powers; to endow such authority with certain powers of eminent domain; to provide that any county and any city in any county for which an authority has been organized under this act may aid and cooperate in the planning, undertaking construction and operation of airports, heliports and air navigation facilities and may lend, give, donate, sell, convey, or transfer money, real property, personal property, mixed property or any right capable of transfer to such authority; to provide that no action or suit shall be brought or maintained against such authority or a director thereof for or on account of the negligence of the authority or director or of its or his agents, servants or employees; to authorize the issuance by such authority of interest bearing revenue bonds payable solely out of the revenues of the authority; to specify provisions of said bonds and to declare them to be negotiable instruments; to provide that said bonds may be secured by pledge of any of the revenues of such authority to which its right then exists or may thereafter come into existence; to provide that such pledge may be provided for in an indenture between said authority and a corporate trustee or by resolution providing for the issuance of the bonds; to provide that said authority may include in any indenture or resolution authorizing the issuance of bonds provisions customarily contained in instruments securing evidence of indebtedness; to specify the use to which the proceeds

of said bonds may be put; to authorize the refunding of said bonds; to provide for remedies in the event of any default; to exempt from all taxation the bonds issued by said authority and the income therefrom, the property of said authority, and the business and activities conducted or engaged in by said authority; to authorize the investment of municipal and county funds in bonds of the authority; to provide that said bonds shall be legal investments for fiduciaries and savings banks and insurance companies; to authorize the publication of notice of the adoption of the resolution authorizing said bonds and specifying the period of time after such publication within which actions and defenses may be asserted respecting said bonds, pledge, and indenture and the proceedings authorizing the same; to provide that the provisions of this act shall be cumulative; to provide for audits of the books and accounts of the authority and to provide that the provisions of this act shall be severable.

Also:

H. 523. To regulate further the fees and costs which registers are entitled to in cases wherein divorce, alimony, maintenance or support is sought in the circuit court of all counties having populations of not less than 100,000 nor more than 115,000 inhabitants, according to the last or any subsequent federal decennial census.

Also:

H. 524. To repeal Act No. 526, H. 1108, approved November 18, 1959, an act relating to the fixing of supplemental salaries of circuit solicitors in certain judicial circuits composed of one county classified on a population basis (Acts of Alabama 1959, vol. II, p. 1301).

Also:

H. 525. To fix the supplemental salaries of circuit solicitors in judicial circuits in Alabama composed of one county where the population of such county exceeds 100,000 people and is less than 115,000 people according to the last preceding or any succeeding decennial United States census to be paid out of the county treasury of such counties.

Also:

H. 526. To repeal Act No. 68, H. 56, approved February 24, 1959, an act relating to the increase in compensation and additional duties of circuit clerks in certain counties classified on a population basis (Acts of Alabama 1959, vol. I, p. 118).

Also:

H. 527. To impose extra, new, and additional duties upon the circuit clerks of any county of the State having a population of not less than 100,000 nor more than 115,000 inhabitants; to provide additional compensation for the performance of such duties; and to provide for the payment of the same.

Also:

H. 528. To repeal Act No. 719, H. 1053, approved September 5, 1951, an act authorizing the county governing body of any of certain counties

classified on a population basis to pay the premiums on the official bonds of certain county employees (Acts of Alabama 1950-1951, vol. II, p. 1260).

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 529. Relating to counties having populations of not less than 100,000 nor more than 115,000 inhabitants; authorizing the county governing body to pay the premiums on the official bonds of certain county employees.

Also:

H. 530. To repeal Act No. 506, S. 482, approved September 3, 1953, an act to provide an assistant coroner for certain counties classified on a population basis (Acts of Alabama 1953, vol. I, p. 636).

Also:

H. 531. To provide an assistant coroner for counties having populations of not less than 100,000 nor more than 115,000 inhabitants according to the last federal census.

Also:

H. 532. To repeal Act No. 549, H. 885, approved September 9, 1953, an act authorizing the governing body of each of certain counties classified on a population basis to appoint a purchasing agent and establish a purchasing system for the county (Acts of Alabama 1953, vol. II, p. 763).

Also:

H. 533. Relating to counties having populations of not less than 100,000 nor more than 115,000 inhabitants according to the last or any subsequent decennial census of the United States; authorizing the governing body of every such county to appoint a purchasing agent and establish a purchasing system for the county.

Also:

H. 534. To repeal Act No. 558, H. 949, approved September 9, 1953, an act relating to annual appropriations for the preparation of public information releases in certain counties classified on a population basis (Acts of Alabama 1953, vol. II, p. 796).

Also:

H. 539. To apply in all those counties in Alabama having a population of not less than 100,000 nor more than 115,000 according to the last or any subsequent federal decennial census and to authorize the employment of a stenographic secretary by the judge of the inferior court in such counties and authorizing the payment of the salary of such steno-

graphic secretary out of the treasury of such counties and to repeal all laws and parts of laws inconsistent with this act.

Also:

H. 540. To repeal Act No. 252, H. 725, approved August 13, 1957, an act relating to the payment of the automobile expenses of coroners in certain counties classified on a population basis (Acts of Alabama 1957, vol. I, p. 325).

Also:

H. 541. Providing for the payment of the automobile expenses of coroners in counties having a population of not less than 100,000 nor more than 115,000, according to the last or any subsequent federal decennial census.

Also:

H. 542. To repeal Act No. 290, H. 837, approved August 16, 1957, an act relating to the micro-filming, photostating or other photographic reproduction of books, records, papers and documents of municipalities in certain counties classified on a population basis (Acts of Alabama 1957, vol. I, p. 368).

Also:

H. 543. To authorize and regulate the micro-filming, photostating or other photographic reproduction of books, records, papers and documents required to be maintained and kept by municipal clerks, municipal recorders, municipal police departments, and other agencies or other instrumentalities of all municipalities in counties in this State having a population of not less than 100,000 nor more than 115,000 according to the last or any subsequent federal decennial census, the destruction or other disposition of the originals of such books, records, papers and documents, and the substitution of such reproductions for the originals thereof; prescribing the force and effect such reproductions shall have and providing for the certification of copies thereof.

Also:

H. 544. To repeal Act No. 323, H. 867, approved August 20, 1957, an act relating to the spending of monies collected or on hand for the maintenance of the law library of the circuit court in certain counties classified on a population basis (Acts of Alabama 1957, vol. I, p. 428).

Also:

H. 545. To provide that any monies heretofore or hereafter collected or on hand for the maintenance of the law library of the circuit court of any county in Alabama having a population of not less than 100,000 people and not more than 115,000 people, according to the last or any subsequent federal decennial census shall be expended for the employment of, and salary for, a person or persons to act as librarian, for law books and furniture and equipment, and for other necessary maintenance of the law library of such courts and for no other purpose.

Also:

H. 546. To fix the supplemental salaries of circuit judges in judicial

circuit in Alabama composed of one county where the population of such county exceeds 100,000 people and is less than 115,000 people according to the last preceding or any succeeding decennial United States census to be paid out of the county treasury of such counties.

Also:

H. 547. To repeal Act No. 699, S. 480, approved September 20, 1957, an act relating to fixing the supplemental salaries of circuit judges in judicial circuits composed of one county classified on a population basis (Acts of Alabama 1957, vol. II, p. 1060).

Also:

H. 548. To repeal Act No. 284, H. 796, approved August 23, 1955, an act relating to the disposition of the proceeds of the sale of contraband or forfeited property in certain counties classified on a population basis (Acts of Alabama 1955, vol. I, p. 649).

Also:

H. 550. To fix the compensation of certain officers of counties having populations of not less than 100,000 nor more than 115,000 inhabitants and in which the Legislature is authorized to fix, regulate and alter the salaries of such officers.

Also:

H. 551. To repeal Act No. 21, S. 106, approved June 10, 1957, an act relating to the fixing of compensation of certain officers in certain counties classified on a population basis (Acts of Alabama 1957, vol. I, p. 54).

Also:

H. 552. To repeal Act No. 287, H. 585, approved August 23, 1955, as amended, an act relating to the operation of certain cemeteries in certain counties classified on a population basis (Acts of Alabama 1955, vol. I, p. 652), and all acts amendatory thereof.

Also:

H. 553. Relating to counties having populations of not less than 100,000 nor more than 115,000 inhabitants according to the last or any subsequent decennial census of the United States; regulating the business of operating certain cemeteries within such counties.

Also:

H. 554. To repeal Act No. 51, H. 37, approved March 4, 1955, an act relating to the attendance of polio victims at public schools in certain counties classified on a population basis (Acts of Alabama 1955, vol. I, p. 84).

Also:

H. 556. To repeal Act No. 459, H. 878, approved September 9, 1955, an act relating to the levy of certain taxes when such a levy is approved at an

election called for such purpose in certain counties classified on a population basis (Acts of Alabama 1955, vol. II, p. 1046).

Also:

H. 557. To repeal Act No. 293, H. 811, approved August 26, 1955, an act creating a hospital board in any of certain counties classified on a population basis (Acts of Alabama 1955, vol. I, p. 686).

Also:

H. 559. To repeal Act No. 59, H. 78, approved April 13, 1955, an act relating to the authorization and compensation of certain probation officers in certain counties classified on a population basis (Acts of Alabama 1955, vol. I, p. 172).

Also:

H. 560. To repeal Act No. 405, S. 511, approved August 15, 1951, an act relating to the appointment, duties, compensation, transportation and expenses of a humane officer in certain counties classified on a population basis (Acts of Alabama 1950-1951, vol. I, p. 730).

Also:

H. 561. To repeal Act No. 424, S. 509, approved August 15, 1951, an act relating to appropriations and expenditures to aid in the care of sick persons in certain counties classified on a population basis (Acts of Alabama 1950-1951, vol. I, p. 758).

Also:

H. 562. To repeal Act No. 311, S. 411, approved July 31, 1951, as amended, an act relating to the regulation of the office of the sheriff in certain counties classified on a population basis (Acts of Alabama 1950-1951, vol. I, p. 606), and all acts amendatory thereof.

Also:

H. 535. Relating to counties having populations of not less than 100,000 nor more than 115,000 inhabitants according to the last or any subsequent decennial census of the United States; requiring the governing body of every such county to appropriate annually the sum of three hundred dollars for the preparation of public information releases concerning the organization, functions, and expenditures of the offices and departments of the county.

Also:

H. 536. To repeal Act No. 78, H. 282, approved June 21, 1955, an act prescribing the time for opening and closing the polls in certain counties classified on a population basis (Acts of Alabama 1955, vol. I, p. 316).

Also:

H. 537. To apply in all counties having populations of not less than 100,000 nor more than 115,000 inhabitants, according to the last or any

subsequent federal decennial census; prescribing the time for opening and closing the polls in such counties and the municipalities therein.

Also:

H. 538. To repeal Act No. 82, H. 72, approved February 24, 1959, an act relating to the employment and compensation of a stenographic secretary by the judge of the inferior court in any of certain counties classified on a population basis (Acts of Alabama 1959, vol. I, p. 144).

Also:

H. 571. To alter and re-arrange the boundary lines of the City of Birmingham, Jefferson County, Alabama, so as to exclude certain territory from within the boundaries of said municipality.

Also:

H. 572. To alter, re-arrange and extend the boundary lines and corporate limits of the City of Mountain Brook, in Jefferson County, Alabama, so as to include within the boundaries of said municipality certain additional territory.

Also:

H. 567. To provide for collection and enforcement by the state department of revenue of sales and use taxes levied or assessed by the city of Geneva, Geneva County.

Also:

H. 625. To repeal Act No. 357, H. 761, approved August 17, 1953, an act relating to reimbursement of the county superintendents of education in certain counties classified on a population basis any sums expended in payment of certain premiums on surety bonds (Acts of Alabama 1953, vol. I, p. 425).

Also:

H. 626. To repeal Act No. 306, H. 696, approved October 15, 1959, an act to provide that clerks of county courts in certain counties classified on a population basis may take affidavits and complaints and issue warrants of arrest in misdemeanor cases (Acts of Alabama 1959, vol. 2, p. 878).

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 239. To fix the supplemental salary of the Circuit Solicitor of the Sixth Judicial Circuit of Alabama; and to create the offices of Deputy Circuit Solicitor No. 1 and Deputy Circuit Solicitor No. 2 of the said Sixth Judicial Circuit and provide for the appointment, duties, and compensation

of such offices; and to fix the salary of the stenographic secretary to the Circuit Solicitor of the Sixth Judicial Circuit.

Also:

H. 659. Proposing an amendment to the Constitution of Alabama relative to DeKalb County.

Also:

H. 901. To amend Act No. 608, H. 700, Regular Session 1951, an act establishing a retirement fund for policemen and firemen of the City of Anniston (Acts of Alabama 1950-1951, vol. II, p. 1045).

Also:

H. 933. Creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 150,000 people and not more than 300,000 people and for municipalities in such counties having a population of 5,000 or more people, all according to the last or any subsequent Federal Census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the Board and for the selection and compensation of its members; providing for the continued service of any board presently serving under any prior Act of the Legislature; providing for the selection, powers, duties and compensation of the personnel director; to require certification of county, municipal, public corporation, board and commission payrolls; making it a misdemeanor to violate the provisions of the Act; repealing all laws or parts of laws inconsistent with the provisions hereof; and providing for an effective date of this Act.

Also:

H. 934. To authorize the Governing body of the County, in all counties having a population of 150,000 and not more than 300,000 according to the federal decennial census of 1960 or any subsequent federal decennial census, to employ an administrative assistant, which person must have obtained the age of 75 years and served 30 consecutive years as a member of the governing body of said County, to prescribe his duties and to fix his compensation.

Also:

H. 935. To repeal Act No. 528, H. 992, approved September 2, 1949, entitled "Creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 100,000 people and not more than 140,000 people and for municipalities in such counties having a population of 5,000 or more people, all according to the last or any subsequent Federal Census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provisions of the act; and repealing all laws or parts of laws inconsistent with the provisions hereof." (Acts of Alabama 1949, page 819.)

Also:

H. 936. To repeal Act No. 311, S. 411, approved July 31, 1951, as amended by Act No. 249, S. 311 approved September 30, 1959, to regulate the office of Sheriff in counties of more than 96,000 population and less than 140,000 population, according to the last Federal census or any subsequent Federal census; to fix the compensation of the Sheriff of said counties and to provide for help and assistants and other expense necessary to the conduct of the office of sheriff; to provide for necessary quarters, books, stationery and other necessities necessary to the operation of said office; to provide that the Sheriff shall pay into the county treasury all costs, charges of the courts, fees and commissions authorized by law to be collected by the Sheriff; to provide that the Board of Revenue, or court of like jurisdiction, shall audit the accounts of said Sheriff for the purpose of requiring a strict compliance with the provisions of this Act; to exempt the Sheriff of such counties from court costs; to exempt the Sheriff from liability for acts of the deputies except in certain cases; to require deputy sheriffs to execute official bonds conditioned, payable and approved as the bonds of Sheriffs, and to provide for the bond for the Sheriff and to provide for the payment of Sheriff's and deputies' bonds out of the county treasury; authorizing the Sheriff to appoint an attorney to advise or represent him, and to fix the compensation of said attorney to be paid out of the general fund of the county by the Board of Revenue or like governing body; and providing when and where this Act shall become effective.

Also:

H. 937. To regulate the office of Sheriff in counties of more than 150,000 population and less than 300,000 population, according to the last Federal census or any subsequent Federal census; to fix the compensation of the Sheriff of said counties and to provide for help and assistants and other expense necessary to the conduct of the office of Sheriff; to provide for necessary quarters, books, stationery and other necessities necessary to the operation of said office; to provide that the Sheriff shall pay into the county treasury all costs, charges of the courts, fees and commissions authorized by law to be collected by the Sheriff; to provide that the Board of Revenue, or court of like jurisdiction, shall audit the accounts of said Sheriff for the purpose of requiring a strict compliance with the provisions of this Act; to exempt the Sheriff of such counties from court costs; to exempt the Sheriff from liability for acts of the deputies except in certain cases; to require deputy sheriffs to execute official bonds conditioned, payable and approved as the bonds of Sheriffs, and to provide for the bond for the Sheriff and to provide for the payment of Sheriff's and deputies' bonds out of the county treasury; authorizing the Sheriff to appoint an attorney to advise or represent him, and to fix the compensation of said attorney to be paid out of the general fund of the county by the Board of Revenue or like governing body; and providing when and where this Act shall become effective.

Also:

H. 944. Proposing an amendment to the Constitution of Alabama relating to the compensation of certain officers of Elmore County.

Also:

H. 945. To provide for payment of salaries of deputy sheriffs from the highway and traffic funds of all counties having populations of not less than 28,000 nor more than 30,550.

Also:

H. 966. To alter and re-arrange the boundaries and corporate limits of the City of Athens, Limestone County.

Also:

H. 994. To repeal Act No. 396, S. 550, approved August 16, 1949, entitled "To provide for the proportion of contribution by counties and incorporated municipalities therein to the budget of a county health department in all counties in this State having a population exceeding 100,000, and not exceeding 140,000 inhabitants, according to the latest Federal Census, or which shall hereafter have such population, according to any such census that may hereafter be taken." (Acts of Alabama 1949, page 567.)

Also:

H. 938. To repeal an act of the legislature entitled "An Act to authorize all cities in the State of Alabama having a population exceeding 78,000 and not exceeding 125,000 inhabitants, according to the 1950 or any succeeding regular decennial Federal census, or which shall hereafter have such population according to any such census that may hereafter be taken, to enact ordinances to establish and maintain a general system of pensions and retirements, including allowances payable on retirement for age or disability, or benefits on separation from service, for the benefit of their regular employees whose salaries are paid on a monthly basis, with necessary classification and terms of admission; and providing that upon the establishment of any system of pensions and retirements such employees theretofore or thereafter appointed shall be eligible, subject to such exceptions, limitations and restrictions as deemed expedient, to admission to such system; to authorize such ordinances to prescribe the manner in which the system may be conducted and its funds collected and distributed; to authorize such cities enacting such ordinances to establish such board for the administration of the fund as is deemed expedient, and to permit the governing body of the city to serve as such board; to require the participating employees and the city to contribute to the funds of such retirement system and to provide for the fixing of the rates of contribution; to require the board to have prepared annually actuarial valuation of the assets and liabilities of the system and to permit on the basis of such valuation increase or decrease in the rates of contribution; to require such pension or retirement system organized under the provisions of this act to create and maintain reserves, calculated to be adequate to cover the liabilities on account of benefits payable under the ordinances, on the basis of an interest rate not in excess of four per centum per annum, and mortality, disability and other experience tables, or a similar group of employees; to authorize the reserves required in respect of service rendered or benefits granted prior to the date of the organization of such system under the provisions of this act to be accumulated on a basis calculated to produce a balance between the actuarial present value of the assets and of the liabilities of the system within a period of not exceeding thirty years from the date of establishment of said system; to authorize the organization of a retirement system under this act to provide for the cessation, limitation or application of any former system or retirement benefits applying to persons eligible to be included in the newly organized system provided that any funds of such former system transferred to the newly organized system shall be applied first to the payment of the benefits on account of which such funds were contributed; to require that the funds of such retirement system organized under the provisions of this act constitute a

trust fund to be used only for the purpose of providing the benefits of such retirement system and shall be held independently of the funds in the treasury of the city; to require that the ordinances provide for trustees, to invest and reinvest the funds of the system and the terms and restrictions in the manner of making such investments; to provide that the property of said system, the portion of wages or salary of an employee deducted or to be deducted, the right of an employee to a benefit, and all his rights in the funds of the system shall be exempt from taxation, attachment, execution or other process to satisfy any debt or liability of any employee of the system and any law relating to bankruptcy or insolvency; to provide that no assignment of any right in said funds or any benefits under the provisions of said ordinances shall be valid; to provide the time of taking effect of this act." (Act number 403, S-504, General Acts of Alabama, 1951, page 725, approved August 15, 1951) and to repeal the amendment thereto, which is an act of the legislature entitled "An act to amend Section 1 of Act No. 403, S. 504, approved August 15, 1951 (Acts of Alabama, 1951, p. 725), which authorizes all cities in the State of Alabama having a population exceeding 78,000 and not exceeding 125,000 inhabitants to enact ordinances to establish and maintain a general system of pensions and retirements for the benefit of their employees." (Act number 235, HB number 667, General Acts of Alabama, 1957, page 295, approved August 13, 1957).

Also:

H. 995. To provide for the proportion of contribution by counties and incorporated municipalities therein to the budget of a county health department in all counties in this State having a population exceeding 150,000, and not exceeding 300,000 inhabitants, according to the latest Federal Census, or which shall hereafter have such population, according to any such census that may hereafter be taken.

Also:

H. 908. To establish a DeKalb County Court for DeKalb County; to define its jurisdiction and powers; To provide for its officers, their powers, duties and compensation; To provide that the said court shall be open at all times for the trial of cases and transaction of business; Prescribing rules and procedure of said Court; and to provide for the transfer of cases now pending in the DeKalb County Superior Court to the DeKalb County Court; To provide for the repeal of the DeKalb County Superior Court, DeKalb County, Alabama, as created by Act No. 637 Acts, 1957, Legislature, pages 956 to 963 inclusive, as amended; To create a fine and forfeiture fund and to provide for payment of claims, to transfer funds from DeKalb County Superior Court Fine and Forfeiture Fund to DeKalb County Court Fine and Forfeiture Fund; To provide for a Solicitor for the DeKalb County Court, his term of office and election, compensation and duties; To provide for payment of expenses of said Court out of the General Fund of DeKalb County, Alabama.

Also:

H. 924. Relating to DeKalb County; to provide for payment of compensation to deputies of the sheriff of DeKalb County who are engaged in enforcing state traffic and motor vehicle laws from the county public highway and traffic fund.

Also:

H. 925. Relating to and providing for the reidentification of voters

in DeKalb County; directing the board of registrars to purge the lists of registered voters; and providing a penalty for anyone willfully making a false statement in connection with such reidentification.

Also:

H. 962. To provide for the collection, preservation, and safekeeping of certain items of historical value in DeKalb County and for this purpose creating and providing for the organization, powers, duties, and authority of the historical commission of DeKalb County and prescribing the qualifications and term of members thereof; to name the first members of the commission and provide for the appointment of their successors; to provide that certain expenses relative to effectuating this act shall be borne by DeKalb County; and to direct the county governing body to perform certain duties.

Also:

H. 986. Relating to DeKalb County; providing further for the DeKalb County Commission, providing for the qualifications, elections, terms, powers, duties, authority and compensation of its members; providing for additional duties of the County Commission relating to the requisitioning and purchasing of books, stationery, supplies, printing and printed matter, blanks, forms, machinery, equipment, tools, materials and contractual services needed by such county officials, offices and departments; and fixing the time of meetings of the commission.

Also:

H. 987. To amend Sections #2 and #7, of Act Number 636, Regular Session of the Legislature of Alabama, approved September 25, 1957.

To create an inferior Court, to be known as the DeKalb County Inferior Court of DeKalb County, Alabama with the power of justice of the Peace; to prescribe the jurisdiction, authority, powers and duties of said Court and Officers thereof; To provide rules and procedures of said Court; To provide that the DeKalb County Commission shall provide quarters and supplies for said Court; and to provide for the execution of process and operation of said Court:

Also:

H. 942. To propose an amendment to the Constitution of Alabama relating to Madison County and the City of Huntsville; authorizing each of them to purchase, construct, lease and otherwise acquire industrial, commercial and agricultural projects, to lease, sell, exchange and otherwise convey all or any part of any such project and, after an approving bond election, to issue its interest-bearing general obligation bonds therefor; to specify the details respecting such bond elections; to limit the amount of bonds that said county and said city may have outstanding under the authority of said amendment; to require, as a condition precedent to the issuance of any such bonds, a lease or other similar agreement providing for the payment to the issuer of such bonds of rentals sufficient to pay the debt service on such bonds; to require the pledge of such rentals for such bonds and to authorize other security for such bonds; to authorize the said county or said city, as the case may be, if such action is necessary to prevent or cure a default on bonds issued by said county or city, to levy ad valorem taxes, without limit as to rate or amount and in addition to all other taxes

then authorized, on the assessed value of all taxable property therein; to provide that in carrying out the purposes of said amendment neither said county nor said city shall be subject to the provisions of Section 93 of the Constitution of Alabama; and to provide that said amendment shall be self-executing but that the legislature shall have the power to enact supplemental general, special or local legislation notwithstanding any contrary provisions of Section 104 of the Constitution of Alabama.

Also:

H. 1002. For the relief of John Morris, Huntsville, of Madison County; authorizing the board of county commissioners, board of revenue, or other like governing body of Madison County to make an appropriation of county funds to compensate John Morris for certain damages.

Also:

H. 1003. To amend Act No. 401, H. 838, Regular Session 1949, an act authorizing the board of registrars of Madison County to employ a full time clerk (Acts of Alabama, Regular Session 1949, p. 573).

Also:

H. 1004. For the relief of J. Wheeler Vann, Rt. 4, Huntsville, of Madison County; authorizing the board of county commissioners, board of revenue, or other like governing body of Madison County to make an appropriation of county funds to compensate J. Wheeler Vann for certain damages.

Also:

H. 1005. For the relief of Robert Mathias, 2000 Stamford Drive, Huntsville, of Madison County; authorizing the board of county commissioners, board of revenue, or other like governing body of Madison County to make an appropriation of county funds to compensate Robert Mathias for certain damages.

Also:

H. 996. To alter or rearrange the boundary lines of the Town of Faunsdale, Marengo County, Alabama so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory contiguous thereto, in Marengo County, Alabama.

Also:

H. 993. To amend Section 3 of Act No. 34, H. 225, Special Session 1932, approved September 24, 1932 (Local Acts, Extra Session 1932, p. 13), an act to provide for the election of a county superintendent of education by the qualified electors of Clarke County, in relation to the qualifications of the county superintendent of education.

Also:

H. 967. To provide compensation for commissioners of The Selma Housing Authority for performance of certain duties.

Also:

H. 928. To authorize the governing body of any county in this state having a population of not less than 20,000 nor more than 21,000 to provide for the employment of an additional assistant in the office of the judge of probate of the county for a portion of each fiscal year.

Also:

H. 927. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in Sumter County; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Also:

H. 954. Proposing an amendment to the Constitution of Alabama relative to promotion of economic development of St. Clair County.

Also:

H. 915. To repeal Act No. 233, H. 570, approved July 17, 1951, an act relating to benefit payments of employees of certain cities classified on a population basis (Acts of Alabama 1950-1951, vol. I, p. 502).

Also:

H. 914. To repeal Act No. 559, H. 955, approved September 9, 1953, an act relating to statements as to encumbrances upon certain real property in certain counties classified on a population basis (Acts of Alabama 1953, vol. II, p. 797).

Also:

H. 916. To authorize and empower the county governing body in any county of this State, having a population of not less than 100,000 and not more than 135,000, according to the last or any subsequent federal decennial census, to employ one or more probation officers, to work with courts in such counties having jurisdiction of juvenile offenders, and to authorize the payment of the salary and expenses of such probation officer, and to authorize and empower municipalities in such counties to join with such counties in the payment of the salaries and expenses of such probation officer.

Also:

H. 917. Relating to counties having populations of not less than 100,000 nor more than 136,000, according to the last or any subsequent federal decennial census; authorizing any purchaser or encumbrancer of real property situated in any municipality in any such county, or the attorney of such purchaser or encumbrancer, to request in writing from the clerk of the municipality in which the property is located a statement as to whether there is or will be any encumbrance against a particular piece of property because of any public improvement for which an ordinance has been adopted.

Also:

H. 992. To amend further Section VIII of the act approved Septem-

ber 15, 1939, creating and establishing the Personnel Department of Mobile County (Act No. 470, H. 952, Local Acts 1939, p. 298); to provide for the qualifications, salary and duties of the Personnel Director, to provide for the retirement of the Personnel Director and to prescribe the terms and conditions of such retirement.

Also:

H. 981. To authorize the closing and occupancy by The First National Bank of Mobile, its successors or assigns, in the City of Mobile, Alabama, of the alleyways separating the Old Customs House Building, at the southwest corner of Royal Street and St. Francis Street, on the south from The First National Bank of Mobile Building, and on the west from The First National Bank of Mobile Annex Building, and to vacate a Declaration of Use For Alleyway Purposes executed by the City of Mobile to the Public June 28, 1939, and to vacate and surrender all rights, easements, restrictions or covenants inconsistent with this Act.

Also:

H. 952. To repeal Section 42, Title 62, Code of Alabama 1940, relating to the appointment of a deputy county treasurer for Mobile County.

Also:

H. 951. To repeal Act No. 369, H. 629, approved July 6, 1943, an act providing for deputy county treasurers in certain counties classified on a population basis (Gen. Acts of Alabama 1943, p. 339).

Also:

H. 985. To regulate further teacher tenure and status in the public schools of Perry County, granting the county board of education plenary and exclusive power relative to teacher tenure and status in the County, and repealing as to Perry County inconsistent provisions of Code 1940, Title 52, Chapter 13, as amended or supplemented.

Also:

H. 984. To alter and re-arrange the boundaries of the town of Centreville, Bibb County, so as to annex certain territory to the town.

Also:

H. 950. To repeal the local act approved May 22, 1953 (Act No. 20, H. 82, Acts of 1953, p. 25) entitled "An Act Relating to Marion County; prohibiting the installation of coin operated parking meter devices in any city, town or other incorporated municipality located therein."

Also:

H. 941. To propose an amendment to the Constitution relative to the levy and collection of a special property tax for educational purposes in the city of Sheffield.

Also:

H. 940. To propose an amendment to the Constitution relative to the levy and collection of a special property tax for educational purposes in the city of Tuscumbia.

Also:

H. 947. To amend Section 8 of the Act approved May 24, 1957,

creating a Board of Revenue and Control for Houston County (Act No. 9, S. 93, Acts of Alabama, Regular Session 1957, Vol. I, p. 33), in relation to increasing the biddable minimum for competitive bidding on county purchases and contracts.

Also:

H. 920. To regulate the compensation of the coroner of Houston County and provide for the payment thereof.

Also:

H. 921. To Amend the following Sections of Act No. 103-H. 363, approved June 18th, 1953 (Acts of Alabama 1953, Pages 145-154), which provides for the establishment of a City of Dothan Pension and Retirement System.

Also:

H. 202. Providing for the relocation of utility facilities when necessitated by Federal-aid highway system projects; providing for the payment of the costs of such relocations by the State as highway construction costs upon Federal participation and Federal funds being actually collected by the State; prescribing the authority of the State Highway Director in regard thereto; providing for the method of paying or reimbursing said utilities; and repealing all conflicting laws.

Also:

H. 650. To provide for the relief of Paul Coburn.

Also:

H. 785. To regulate the compensation and allowances of members of the county board of education of Elmore County.

Also:

H. 784. To amend further Act No. 258, H. 679, Regular Session 1931, an act providing for the duties, qualifications, tenure, and compensation of the county superintendent of education of Elmore County (Local Acts, Regular session 1931, p. 117), in relation to the compensation and travel allowance of such officer.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 879. To fix the compensation of the deputy solicitor of all counties having a population of not less than 27,000 nor more than 30,000, according to the 1960 or any subsequent federal decennial census.

Also:

H. 885. To repeal Act No. 396, S. 550, approved August 16, 1949, entitled "An Act To provide for the proportion of contribution by counties and incorporated municipalities therein to the budget of a county health department in all counties in this State having a population exceeding 100,000, and not exceeding 140,000 inhabitants, according to the latest Federal Census, or which shall hereafter have such population, according to any such census that may hereafter be taken," (Acts of Alabama 1949, p. 567).

Also:

H. 774. To repeal Act No. 133, H. 446, approved June 26, 1953, an act to regulate the compensation and allowances of the superintendent of education of certain counties classified on a population basis (Acts of Alabama 1953, vol. I, p. 181).

Also:

H. 638. To repeal Act No. 142, H. 456, approved September 21, 1959, entitled "An Act To empower the board of revenue, court of county commissioners, or other like governing body of counties having a population of not less than 40,500 nor more than 45,000 inhabitants, according to the last or any subsequent federal decennial census, to authorize the offices of officials in the courthouse to be closed all day on Saturday each week" (Acts of Alabama 1959, vol. 1, p. 662).

Also:

H. 639. To empower the board of revenue, court of county commissioners, or other like governing body of counties having a population of not less than 48,500 nor more than 49,500 inhabitants, according to the 1960 or any subsequent federal decennial census, to authorize the offices of officials in the courthouse to be closed all day on Saturday each week.

Also:

H. 640. To repeal Act No. 20, H. 7, approved February 19, 1959, entitled "An Act Relating to corporations organized to operate municipal water, sewer, gas, and electric systems; regulating further the compensation of members of boards of directors of such corporations in all counties having a population of not less than 40,500 nor more than 44,500, according to the last or any subsequent federal decennial census" (Acts of Alabama 1959, vol. 1, p. 47).

Also:

H. 641. To repeal Act No. 439, H. 641, approved August 28, 1953, entitled "An Act Relating to municipal corporations; providing that the governing body of any town (as defined by Section 5, Title 37, Code 1940) located within a county having a population of not less than 40,500 nor more than 45,000, according to the last or any subsequent federal decennial census, for which a corporation has been organized to operate a water works, sewer, gas, or electric system under the provisions of Act No. 175, S. 280, approved June 29, 1951, as amended, may increase the number of directors of such corporation" (Acts of Alabama 1953, vol. I, p. 546).

Also:

H. 642. To repeal Act No. 267, H. 734, approved August 16, 1957, entitled "An Act Relating to all counties having a population of not less than 40,500 nor more than 45,000 inhabitants, according to the last or any subsequent federal census; regulating the compensation and allowances of directors of certain utility boards heretofore or hereafter established in such counties" (Acts of Alabama 1957, vol. I, p. 341).

Also:

H. 643. Relating to all counties having a population of not less than 48,500 nor more than 49,500 inhabitants, according to the 1960 or any subsequent federal census; regulating the compensation and allowances of directors of certain utility boards heretofore or hereafter established in such counties.

Also:

H. 644. Relating to corporations organized to operate municipal water, sewer, gas, and electric systems; regulating further the compensation of members of boards of directors of such corporations in all counties having a population of not less than 48,500 nor more than 49,500, according to the 1960 or any subsequent federal decennial census.

Also:

H. 743. To provide for payment of salaries of deputy sheriffs from the highway and traffic funds of all counties having populations of not less than 22,350 nor more than 24,500.

Also:

H. 757. To provide contingent funds for all counties having populations of not less than 48,500 nor more than 49,500, and regulating the use of such funds.

Also:

H. 220. To amend Act No. 730, S. 528, approved September 20, 1957 (Acts of Alabama 1957, page 1136) which relates to the use outside their corporate limits of municipal fire fighting equipment and personnel by certain towns.

Also:

H. 754. Proposing an amendment to the Constitution of Alabama relative to promotion of economic development of Autauga County.

Also:

H. 221. To amend further Section 462, Title 37, Code of Alabama 1940, as amended, relating to the publication and recording of ordinances.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 851. To regulate the compensation and allowances of the judge of probate of all counties having populations of not less than 65,000 nor more than 95,000.

Also:

H. 786. To repeal Act No. 376, S. 466, approved August 7, 1951, as amended, an act fixing the salaries of certain county officers in certain counties classified on a population basis (Acts of Alabama 1950-1951, vol. I, p. 669), and all acts amendatory thereof.

Also:

H. 787. To repeal Act No. 698, S. 422, approved September 20, 1957, an act relating to the compensation and allowances of certain officers of certain counties classified on a population basis (Acts of Alabama 1957, vol. II, p. 1058).

Also:

H. 788. To repeal Act No. 450, H. 958, approved September 9, 1955, as amended, an act fixing the salaries of certain county officers in certain counties classified on a population basis (Acts of Alabama 1955, vol. II, p. 1003), and all acts amendatory thereof.

Also:

H. 791. To apply in all counties of this state having populations of not less than 96,000 and not more than 116,000 according to the latest or any subsequent federal decennial census and to allow the boards of revenue or other like governing body of such counties to fix and set aside, by resolution, certain days of the week for the closing of the offices in the court house of such counties.

Also:

H. 792. To repeal Act No. 317, H. 645, approved October 29, 1959, an act relating to allowing the governing bodies in certain counties classified on a population basis to fix and set aside certain days of the week for closing the offices in the courthouse (Acts of Alabama 1959, vol. II, p. 896).

Also:

H. 793. To apply in all counties in this state having populations of not less than 96,000, and not more than 116,000, according to the latest or any subsequent federal decennial census, and to provide for and authorize the introduction in evidence in any court in Alabama in such counties, when relevant and material, certified copies of hospital records or any hospital organized or operated under or pursuant to the laws of Alabama, including records of admission, medical, clinical, hospital, occupational, disease, injury

and disability histories, X-Rays and written interpretations thereof, pictures, photographs, files, written orders, directions, findings and reports of physicians, doctors, surgeons, pathologists, radiologists, specialists, dentists, technicians and nurses, as well as employees of such hospital, forming a part of such hospital records, as to the health, physical and mental condition, state, sickness, disease, mental and physical disorders, damages, duration and character of disabilities, diagnosis, prognosis, progress, operations, incisions, injuries, wounds, cuts, lacerations, bruises, breaks, examinations, tests, transfusions, hospitalization and duration thereof, medication, medicines, treatment and care and charge sheets and the costs, expenses, fees and charges therefor and thereof, as to and of a patient in said hospital, when the custodian of such hospital records certifies and affirms in writing that the same are an exact, full, true and correct copy of such hospital records; with the proviso that all circumstances of the making of such hospital records, including lack of personal knowledge by the entrant or maker, may be otherwise shown to affect the weight of such hospital records but they shall not affect their admissibility; and to provide for the cost and the taxing thereof for said copy and certificate and affirmance in writing thereto and the filing of said copy with the clerk or register of the court having jurisdiction of the suit or proceeding, and to provide for subpoena duces tecum therefor.

Also:

H. 794. To repeal Act No. 13, H. 31, approved July 17, 1959, an act relating to the use of authorized certified copies of hospital records as evidence in certain counties classified on a population basis (Acts of Alabama 1959, vol. I, p. 174).

Also:

H. 795. To repeal Act No. 42, H. 38, First Special Session 1959, approved February 19, 1959 (Acts of Alabama 1959, vol. I, p. 78), an act relating to the appointment, tenure, number and compensation of bailiffs for certain judicial circuits classified on a population basis.

Also:

H. 798. To repeal Act No. 501, S. 544, approved August 22, 1951, an act imposing extra, new, and additional duties upon the judges of county courts in certain counties classified on the basis of population (Acts of Alabama 1950-1951, vol. I, p. 894).

Also:

H. 799. Relating to Sumter County: To authorize and empower the county board of education to remove or terminate the contract of employment of any teacher in the public school system at any time such action is deemed necessary to promote the best interest of the schools under its jurisdiction; repealing conflicting laws.

Also:

H. 878. To regulate further the compensation and allowances of certain officers of counties having a population of not less than 96,000 nor more than 106,000, according to the last or any subsequent federal decennial census.

Also:

H. 608. To levy county sales and use taxes for public school purposes in Blount County; to provide for the collection of such taxes by the state department of revenue, and for the distribution and use of the proceeds thereof; to provide for the enforcement of the Act; and to provide penalties.

Also:

H. 609. Providing further for the registration of voters in Blount County.

Also:

H. 612. Regulating the compensation of members of the jury commission in Blount County.

Also:

H. 844. To fix the compensation of the county solicitor, deputy solicitor, or deputy circuit solicitor of all counties having a population of not less than 21,850 nor more than 21,950, according to the last or any subsequent federal decennial census.

Also:

H. 845. Relating to counties having a population of not less than 21,850 and not more than 21,950 inhabitants according to the last or any subsequent federal decennial census, to authorize county governing bodies to pay a salary to a deputy sheriff, other than and in addition to the chief deputy sheriff holding appointment from the sheriff of such county and to pay a salary to such other deputy sheriff of not more than \$250.00 per month to be paid by monthly installment out of the treasury of such counties upon the warrant of the governing body of such counties.

Also:

H. 846. To repeal Act No. 453, H. 798, approved July 6, 1943, an act relating to additional duties and additional per diem for members of the court of county commissioners or like governing bodies in certain counties classified on a population basis (General Acts of Alabama 1943, p. 415).

Also:

H. 991. To amend Section four (4) of an Act of the Legislature approved March 23, 1955, entitled: An Act; To establish in Mobile County, Alabama, the positions of Administrative Assistant to the Circuit Solicitor of the Thirteenth Judicial Circuit of Alabama and Legal Stenographer to the Circuit Solicitor of the Thirteenth Judicial Circuit of Alabama; to prescribe their duties; to fix their term of employment and to prescribe their compensation and provide for the payment of their compensation out of the General Fund of Mobile County, Alabama.

Also:

H. 697. Relating to counties of not less than 225,000 nor more than 500,000; to provide further for appeals in cases in equity from circuit courts, courts of like jurisdiction and all other courts of record, which have court reporters and from which appeals lie directly to the Supreme

Court of Alabama; to prescribe the manner in which evidence shall be transcribed and made a part of the record, and for assignment of error on the record.

Also:

H. 156. Relating to Mobile County; to alter, rearrange and extend the boundaries of the City of Mobile so as to include within the corporate limits thereof certain additional territory located in Section 7, Township 5 South, Range 2 West, Mobile County, Alabama.

Also:

H. 876. Relating to Randolph County, designating the Judge of Probate as purchasing agent for the county, regulating the purchase of supplies, materials, equipment, and contractual services for Randolph County; and providing the penalty for violation of this Act.

Also:

H. 877. Providing further for the government of Randolph County; placing the members of the court of county commissioners or other like governing body of Randolph County on a salary; prescribing their jurisdiction and authority relative to the establishing, constructing, repairing and maintenance of county roads and bridges; providing for the disbursement of gasoline tax moneys received from the State on a county-wide basis under the direction of the county governing body; and prescribing the compensation, qualifications, powers and duties of the county engineer appointed by the governing body.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 875. To amend Act No. 642, H. 1043, Regular Session 1957, an act changing the method of compensating certain officers of Colbert County and providing compensation for their assistants (Acts of Alabama, Regular Session 1957, vol. II, p. 972).

Also:

H. 881. To apply only in counties in the state having a population of not less than 100,000 nor more than 115,000 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

Also:

H. 898. To amend further Section 1 of Act No. 30, S. 99, approved May 25, 1945, as amended, an act providing for and regulating the compensation of the county superintendent of education of Henry County (Local Acts of Alabama 1945, p. 39).

Also:

H. 769. To alter, rearrange and extend the boundaries and corporate limits of the Town of Pinckard, Dale County, Alabama, so as to annex certain territory to the town.

Also:

H. 932. Providing that in all cities of the State of Alabama now having or hereafter having a population of as many as 100,000 and not more than 200,000 people, according to the 1960 or any succeeding regular decennial Federal Census, the employees of any water works board or other board, public corporation or commission, created or appointed by the governing authority of any such city, who were or are at the time of the creation or appointment of such water works board or other board, public corporation or commission, employees of any such city, or paid in part or in whole, directly or indirectly, from funds contributed or appropriated by any such city, shall continue to be covered and protected by and entitled to the benefits of any pension or retirement system, law or plan, or other benefit plan in effect for employees of any such city at the time of the creation or appointment of any such water works board or other board, public corporation or commission; providing for the contribution and payment by any such water works board or other board, public corporation or commission, of all sums due by or accruing to any of their respective employees under any such pension or retirement system, law or plan, or other benefit plan; providing that any such water works board or other board, public corporation or commission may enter into agreements with any such city for participation by their respective employees employed after the appointment and creation of any such water works board or other board, public corporation or commission, in any pension or retirement system, law or plan, or other benefit plan, now applicable to or for the benefit of the employees of any such city, and as part of any such agreement to provide for contributions or payments to be made by any such water works board or other board, public corporation or commission in connection with the participation by their respective employees in any such pension or retirement system, law or plan, or other benefit plan; and providing that any such water works board or other board, public corporation or commission, may enter into agreements with any such city for participation by their respective employees, whether employed before or after the creation or appointment of any such water works board or other board, public corporation or commission, in any pension or retirement system, law or plan, or other benefit plan, hereafter applicable to or for the benefit of the employees of any such city, and as part of any such agreement to provide for contributions or payments to be made by any such water works board or other board, public corporation or commission in connection with the participation by their said respective employees in any such pension or retirement system, law or plan, or other benefit plan.

Also:

H. 939. To authorize all cities in the State of Alabama having a population exceeding 100,000 and not exceeding 200,000 inhabitants, according

to the 1960 or any succeeding regular decennial Federal Census, or which shall hereafter have such population according to any such census that may hereafter be taken, to enact ordinances to establish and maintain a general system of pension and retirements, including allowances payable on retirement for age or disability, or benefits on separation from service, for the benefit of their regular employees, including regular employees whose compensation is computed and paid on a per diem basis, and the regular employees of any board or commission, with necessary classification and terms of admission; and providing that upon the establishment of any system of pensions and retirements such employees theretofore or thereafter appointed shall be eligible, subject to such exceptions, limitations and restrictions as deemed expedient, to admission to such system; to authorize such ordinances to prescribe the manner in which the system may be conducted and its funds collected and distributed; to authorize such cities enacting such ordinances to establish such board for the administration of the fund as is deemed expedient, and to permit the governing body of the city to serve as such board; to require the participating employees and the city to contribute to the funds of such retirement system and to provide for the fixing of the rates of contribution; to require the board to have prepared annually actuarial valuation of the assets and liabilities of the system and to permit, on the basis of such valuation, increase or decrease in the rates of contribution; to require such pension or retirement system organized under the provisions of this Act to create and maintain reserves, calculated to be adequate to cover the liabilities on account of benefits payable under the ordinances, on the basis of an interest rate not in excess of four per centum per annum, and mortality, disability and other experience tables, or a similar group of employees; to authorize the reserves required in respect of service rendered or benefits granted prior to the date of the organization of such system under the provisions of this Act to be accumulated on a basis calculated to produce a balance between the actuarial present value of the assets and of the liabilities of the system within a period of not exceeding thirty years from the date of establishment of said system; to authorize the organization of a retirement system under this Act to provide for the cessation, limitation or application of any former system of retirement benefits applying to persons eligible to be included in the newly organized system provided that any funds of such former system transferred to the newly organized system shall be applied first to the payment of the benefits on account of which such funds were contributed; to require that the funds of such retirement system organized under the provisions of this Act constitute a trust fund to be used only for the purpose of providing the benefits of such retirement system and shall be held independently of the funds in the treasury of the city; to require that the ordinances provide for trustees, to invest and reinvest the funds of the system and the terms and restrictions in the manner of making such investments; to provide that the property of said system, the portion of wages or salary of an employee deducted or to be deducted, the right of an employee to a benefit, and all his rights in the funds of the system shall be exempt from taxation, attachment, execution or other process to satisfy any debt or liability of any employee of the system and any law relating to bankruptcy or insolvency; to provide that no assignment of any right in said funds or any benefits under the provisions of said ordinances shall be valid; to provide the time of taking effect of this Act.

Also:

H. 956. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 31, Township 16 North, Range 18 East, Montgomery County, Alabama.

Also:

H. 349. To alter, rearrange, and extend the corporate limits of the City of Mountain Brook, Jefferson County, so as to include within the corporate limits of said City of Mountain Brook certain additional territory.

Also:

H. 449. To amend further Act No. 671, H. 921, approved September 4, 1951 (Acts of Alabama 1951, vol. II, p. 1158), creating and establishing a civil service system to govern the appointment, tenure, compensation, conditions of employment, and removal of certain officers and employees in such cities.

Also:

H. 450. To amend the title and Section 1 of Act No. 112, H. 380, approved June 19, 1951 (Acts of Alabama 1951, vol. I, p. 337), providing for the name, number and designation of the governing body of certain cities classified on a population basis; providing for the selection of employees in all such cities and prescribing the authority of the governing body of such cities with respect to such employees; providing for the distribution of the powers and duties of and among the members of the governing body of each such city; and providing for their compensation.

Also:

H. 451. To amend the title and Section 1 of Act No. 153, H. 449, approved June 30, 1953 (Acts of Alabama 1953, vol. I, p. 195), regulating and fixing the minimum salary of firemen and policemen in certain cities classified on a population basis.

Also:

H. 452. To repeal Act No. 499, S. 617 approved August 30, 1949, entitled "An Act Relating to all cities in the State of Alabama having a population of not less than 50,000 people nor more than 78,500 people, according to the last or any succeeding regular decennial Federal Census; providing for the name, number and designation of members of the governing body of all such cities; providing for the selection and employment of employees in all such cities and prescribing the authority of the governing body of such cities with respect to said employees; providing for distribution of the powers and duties of and among the members of the governing body of each such city; providing the time when the provisions of this act shall become effective; and repealing all laws or parts of laws, general, local or special, in conflict with the provisions hereof." (Acts of Alabama 1949, p. 724).

Also:

H. 454. To repeal Act No. 500, S. 618, approved August 30, 1949 entitled "An Act Prescribing the compensation to be paid to members of the governing body in all cities in the State of Alabama having a population of not less than 50,000 people nor more than 78,500 people, according to the last or any succeeding regular decennial Federal Census, where such cities operate under the commission form of government; providing a method of payment of such compensation and providing the time when this Act shall become effective; and repealing all laws or parts of laws in conflict with the provisions hereof" (Acts of Alabama 1949, p. 725).

Also:

H. 455. To repeal Act No. 498, S. 616, approved August 30, 1949, entitled "An Act To provide for the name and number of members of the governing body of all cities in the State of Alabama having a population of not less than 50,000 people nor more than 78,500 people, according to the last or any succeeding regular decennial Federal Census; to provide for the designation of the members of the governing body of all such cities; to provide that in all primary and general elections for nomination or election of members of the governing body in such cities, each such position to be filled shall be designated separately and shall appear separately on all ballots in such elections; to provide that each candidate for nomination or election in such election shall designate the position to which he is seeking nomination or election; to provide the manner in which the names of candidates shall appear on ballots in such elections; and to repeal all laws or parts of laws, general, local or special, in conflict with the provisions hereof." (Acts of Alabama 1949, p. 723)

Also:

H. 456. To amend further Act No. 379, H. 786, approved July 9, 1943 (Acts of Alabama Regular Session 1943 and Special Session 1942, p. 349), an act to establish a Policemen and Firemen's Retirement Fund in certain cities classified on a population basis; to provide for such fund, its sources, management, and administration; to provide for a Board of Trustees and Secretary-Treasurer thereof for such fund; to provide for the retirement and reinstatement of active or retired members of such departments and payment of benefits provided for hereunder; to provide for payment of benefits to widows and orphans, and widowed mothers of such members; and to provide for appeals from rulings of the Board of Trustees.

Also:

H. 457. To repeal Act No. 378, H. 785, approved July 6, 1943, entitled "An Act To provide for appeals from decisions of Civil Service Boards by whatever name known, governing the police and fire departments in all cities of the State of Alabama which now have a population of as many as 35,000 and less than 75,000, according to the last Federal Census, or which shall have such populations according to any such census that may hereafter be taken and in which the police and fire departments are now or may hereafter be governed and controlled by a Civil Service Board, by whatever name known; to regulate and define the persons, officers, and positions governed and controlled by Civil Service laws and regulations now or hereafter in force and effect in such cities; to continue in full force and effect any Civil Service laws or regulations not herein modified; and to repeal all laws and parts of laws whether general, special or local, and whether codified or uncoded, in conflict with the provisions of this Act" (Acts of Alabama Regular Session 1942 and Special Session 1943, p. 347).

Also:

H. 651. To permit any bank having its principal place of business in Conecuh County to establish, maintain, and operate, within the Town of Castleberry, a branch or additional office or place of business, subject to the approval of the state superintendent of banks.

Also:

H. 777. To amend Act No. 84, H. 94, First Special Session 1956, an

act providing an optional plan by which certain counties classified on a population basis may establish two or more voting places within an election precinct (Acts of Alabama 1956, p. 125).

Also:

H. 780. To provide for special meetings of boards of education of all counties having populations of not less than 17,500 nor more than 17,800, according to the 1960 or any subsequent federal decennial census, and to regulate the compensation of the members of such boards of education.

Also:

H. 817. To alter, rearrange and extend the boundaries of the City of Bessemer, Alabama, so as to include within the corporate limits thereof certain additional territory in Section 32, Township 18 South, Range 4 West, Jefferson County, Alabama.

Also:

H. 818. To alter, rearrange and extend the boundaries of the City of Bessemer, Alabama, so as to include within the corporate limits thereof certain additional territory in Section 20, Township 19, Range 4 West, Jefferson County, Alabama.

Also:

H. 819. Relating to powers of governing bodies of counties having populations in excess of 600,000; authorizing expenditures of county funds to replace property of deputy sheriffs damaged or destroyed under certain specified conditions.

Also:

H. 833. To provide further for election of the mayor and council of all cities having populations of not less than 70,000 nor more than 120,000, according to the 1960 or any subsequent federal decennial census.

Also:

H. 753. For the relief of McCord Oil Company of Goodwater, Alabama; making an appropriation of state highway department funds to compensate such company for certain materials furnished for Alabama Highway Project No. USG-347(4).

Also:

H. 834. Authorizing counties having a population of not less than 110,000 nor more than 160,000 according to the last or any subsequent federal decennial census, and the municipalities within such counties, either singly or jointly, to create airport authority boards; providing for the selection of the members of such boards, and prescribing their qualifications, terms, and compensation; and providing for the organization, jurisdiction, powers, and duties of such boards.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 627. To provide that clerks of county courts in all counties having a population of not less than 25,700, nor more than 25,900, according to the most recent federal decennial census, may take affidavits and complaints and issue warrants of arrest in misdemeanor cases.

Also:

H. 628. To repeal Act No. 241, H. 682, approved August 13, 1957, an act relieving the members of the boards of registrars in certain counties classified on a population basis of the duty of visiting precincts or voting places in the performance of their official duties (Acts of Alabama 1957, vol. I, p. 301).

Also:

H. 629. Relating to the registration of voters in counties having populations of not less than 25,700 nor more than 25,900, according to the 1960 or any subsequent federal decennial census; relieving the members of the boards of registrars in such counties of the duty of visiting precincts or voting places in the performance of their official duties.

Also:

H. 630. To fix the compensation of members of the court of county commissioners, board of revenue or like governing body of all counties having populations of not less than 25,700 nor more than 25,900, according to the 1960 or any subsequent federal decennial census.

Also:

H. 631. To repeal Act No. 204, H. 566, approved August 13, 1957, an act fixing the compensation of members of the county governing body of each of certain counties classified on a population basis (Acts of Alabama 1957, vol. I, p. 263).

Also:

H. 632. To repeal Act No. 135, H. 557, approved July 12, 1957, an act authorizing the payment of the salaries of certain employees of certain counties classified on a population basis (Acts of Alabama 1957, vol. I, p. 182).

Also:

H. 633. Relating to counties having populations of not less than 25,700 nor more than 25,900, according to the 1960 or any subsequent federal decennial census; authorizing the payment of the salaries of certain employees of such counties on a semi-monthly basis.

Also:

H. 645. To authorize each of the municipalities of the State having

populations of not less than 15,700 nor more than 16,250 to acquire by purchase any hospital and, as all or a part of the purchase price, to assume any indebtedness on such hospital and to agree to postpone the maturity date thereof and pay interest thereon or issue its bonds, revenue bonds, warrants, or notes, in order to secure funds to pay the purchase price thereof or at the time of purchase or later to finance extensions and improvements thereto and to provide for covenants and obligations in favor of the holders of such bonds, revenue bonds, warrants or notes; and to permit each such municipality to create a Board of Hospital Managers, as a self perpetuating body, to which such municipality may irrevocably delegate all powers, authority, functions and duties with respect to the management, operation and control of such hospital, and to provide for the election of the members of such board, the confirmation and removal of such members, the officers of the board, the compensation of members and officers of the board, the bylaws, powers, functions and duties of such board, and to limit the liability of the members of such board.

Also:

H. 646. To repeal Act No. 498, H. 909, approved September 30, 1947, an act relating to the regulation and licensing of barbers and barber colleges in certain counties classified on a population basis (General Acts of Alabama 1947, p. 343).

Also:

H. 647. To repeal Act No. 545, S. 593, approved August 28, 1951, an act relating to powers of certain municipalities, classified on a population basis, as to the creation, operation and control of certain hospitals (Acts of Alabama 1950-1951, vol. II, p. 958).

Also:

H. 648. Relating to the registration of voters in counties having populations of not less than 46,500 nor more than 48,000 inhabitants according to the 1960 or any subsequent decennial census of the United States: Relieving the members of the board of registrars in such counties from the duty of visiting precincts or voting places in the performance of their official duties.

Also:

H. 649. To repeal Act No. 483, H. 858, approved September 3, 1953, an act relating to the registration of voters in certain counties classified on a population basis (Acts of Alabama 1953, vol. I, p. 610).

Also:

H. 663. To enlarge the corporate limits of the City of Wetumpka, in Elmore County, Alabama, by including therein certain territory in addition to the territory now embraced within the corporate limits of the City of Wetumpka.

Also:

H. 675. Relating to the municipality of Hamilton, in Marion County, Alabama: To alter, re-arrange, and extend the boundaries and corporate limits of the Town of Hamilton, Alabama.

Also:

H. 738. To amend Act No. 95, H. 434, Regular Session 1957, an act fixing the compensation of the superintendent of education of Dale County.

Also:

H. 741. Relating to Lawrence County, abolishing the fine and forfeiture fund of Lawrence County and providing that all monies now in the fine and forfeiture fund or hereafter collected for such fund shall be paid into the general fund of such county and that all claims due or to become due from the fine and forfeiture fund shall be paid from the general fund of the county; providing that witness certificates obtained as a state's witness before the grand jury or the circuit court, county court or other inferior court in which a criminal prosecution is pending shall be paid from the general fund on presentation; providing that all monies now held or hereafter collected as witness fees for state's witnesses in the circuit court, county court or other inferior court shall be paid on collection into the general fund of the county.

Also:

H. 752. To amend further Act No. 23, Regular Session 1943, which relates to the county superintendent of education of Coosa County (Local Acts of Alabama 1943, p. 14).

Also:

H. 765. For the relief of W. J. Griffin, Jr., of Thomasville, Ala.; authorizing and directing the court of county commissioners, board of revenue, or other like governing body of Clarke County to appropriate county funds for such purpose.

Also:

H. 766. To repeal Act No. 727, H. 1100, approved September 5, 1951, relating to the fixing of the expense allowance of the county superintendent of education in certain counties classified on a population basis (Acts of Alabama 1950-1951, vol. II, p. 1278).

Also:

H. 767. To provide that in all counties having populations of not less than 12,000 nor more than 13,000, the board of county commissioners, board of revenue, or other like governing bodies may designate one or more state or national banks as the county depository.

Also:

H. 768. Relating to counties having populations of less than 12,000 inhabitants; to fix the expense allowance of the county superintendent of education of such counties.

Also:

H. 805. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing Geneva County to incur additional indebtedness to the extent of not exceeding \$600,000 in principal amount, and to issue its general obligation bonds in evidence of the indebted-

ness so incurred, for the construction and equipment of a courthouse and jail in said county, and to levy and collect a special ad valorem tax in said county for the purpose of retiring such bonds and maintaining the courthouse and jail so constructed, and to specify conditions precedent to such actions.

Also:

H. 807. Relating to all counties in the State having populations of not less than 15,000 nor more than 15,300 inhabitants, according to the 1960 or any subsequent Federal decennial census; to authorize the governing body of any such county to allow and pay to the sheriff an amount not in excess of one hundred dollars (\$100) monthly for expenses incurred in operation, upkeep, repair and maintenance of his privately-owned automobile used on official business.

Also:

H. 808. To repeal Act No. 133, H. 443, approved July 12, 1957, an act providing for an allowance for maintenance of the privately-owned automobile of the sheriff in certain counties classified on a population basis when used in the performance of his official duties (Acts of Alabama 1957, vol. I, p. 181).

Also:

H. 809. Relating to counties having populations of not less than 15,000 nor more than 15,300 inhabitants according to the 1960 or any subsequent decennial census of the United States; providing for the compensation of members of jury commissions in such counties.

Also:

H. 810. To repeal Act No. 136, H. 197, approved February 24, 1956, an act dividing certain counties classified on a population basis into forest districts and creating the office of district forest warden for each district within such counties (Acts of Alabama 1956, p. 196).

Also:

H. 811. For relief of Herman Aman, of Dothan, Route 3; authorizing an appropriation from the treasury of Houston County for that purpose.

Also:

H. 812. To alter, re-arrange and extend the boundaries of the Town of Avon in Houston County, Alabama.

Also:

H. 813. Relating to City of Dothan, Houston County: To provide for the relief of City Employee Willis D. Hewes, pursuant to Resolution No. 2579 of the Board of Commissioners of said City, and the concurrence of the Pension Board of the Retirement System of said City, by allowing credit for prior employment towards retirement as a member of said City of Dothan Retirement System.

Also:

H. 835. To repeal Act No. 47, H. 61, approved April 8, 1955 (Acts of

Alabama 1955, vol. I, p. 157) which applies only in counties having populations of not less than 47,500 nor more than 52,500, according to the 1950 or any subsequent federal decennial census, and relates to the appointment of a deputy clerk of the circuit court.

Also:

H. 114. Proposing an amendment to the Constitution of Alabama relating to the industrial development of Franklin County and the municipalities therein.

Also:

H. 836. To repeal Act No. 165, H. 30, approved June 29, 1951 (Acts 1950-1951, vol. I, p. 403), and Act No. 446, H. 935, approved November 13, 1959 (Acts 1959, vol. II, p. 1140), which relate to the appointment and compensation of clerks of the tax assessors and tax collectors of counties having populations of not less than 47,000 nor more than 51,000.

Also:

H. 837. To repeal Act No. 725, S. 491, approved September 20, 1957 (Acts 1957, vol. II, p. 1129), which applies only in counties having populations of not less than 46,000 nor more than 49,000, according to the 1950 or any subsequent federal decennial census.

Also:

H. 838. To repeal Act No. 48, H. 62, approved April 8, 1955 (Acts of Alabama 1955, vol. I, p. 158) which applies only in counties having populations of not less than 47,500 nor more than 52,500, according to the 1950 or any subsequent federal decennial census, and relates to the office of county solicitor in such counties.

Also:

H. 839. To repeal Act No. 448, H. 630, approved August 17, 1951 (Acts 1950-1951, p. 800) entitled "An Act to fix the salary of County Superintendents of Education in all counties of the State of Alabama having a population of not less than 45,090 and not more than 46,550 according to the 1950 Federal Census, or any subsequent Federal census, and to provide when this Act shall take effect."

Also:

H. 863. To repeal an Act of the Legislature entitled "An Act to provide for the appointment of a humane officer in all counties in this state which may now have or which hereafter have a population of ninety-six thousand people and less than one hundred forty-one thousand people according to the last Federal census or any census which may hereafter be taken; to define the duties and fix the compensation of said humane officer; to provide for transportation and the expenses of same and other expenses incurred in the performance of his duties." (Act No. 405, S. 511, General Acts 1951, page 730, approved August 15, 1951.)

Also:

H. 864. To provide for the appointment of a humane officer in all counties in this state which may now have or which may hereafter have a

population of 150,000 people and less than 300,000 people and in which there is an incorporated city having a population of 100,000 people and less than 200,000 people according to the last Federal census or any census which may hereafter be taken; to define the duties and fix the compensation of said humane officer; to provide for transportation and the expenses of same and other expenses incurred in the performance of his duties; and placing such officer under the operation of a city county merit system in such counties having such a system.

Also:

H. 865. To repeal an Act of the Legislature entitled "An Act to authorize the governing body of any municipality in the State of Alabama having a population of as many as 78,000 people and not more than 120,000 people, according to the 1950 or any succeeding regular decennial Federal Census, to provide park and recreational facilities and services for such city; to provide for the creation, establishment, maintenance and support of a park and recreation board in any such municipality; to provide for the appointment of such board and to define its duties and powers, and the power and authority of any such municipality with respect to furnishing park and recreational facilities, independently or jointly with the county or city or county school board." (Act No. 440, H. 924, General Acts 1951, page 791, approved August 17, 1951).

Also:

H. 866. To repeal an Act of the Legislature entitled "An Act to authorize the governing body of any municipality in the State of Alabama having a population of not less than 75,000 nor more than 125,000, according to the last or any subsequent federal decennial census, to create a museum board; to provide for the appointment of members of such board and for their terms of office; to authorize the board to adopt rules and regulations governing procedures of the board and the use of facilities under its jurisdiction and control; to provide for the appointment of a director and employees for such board; to provide that such employees shall be employees of the municipality and subject to any civil service or merit system law in effect in such municipality; to define the powers and duties of the board; and to authorize the municipality to acquire and provide property, and funds, for the use of said board for museum purposes." (Act No. 467, H. 1038, General Acts 1959, page 1161, approved November 13, 1959).

Also:

H. 867. To repeal an Act of the Legislature entitled "An Act to provide for and prescribe the form of government for all cities of Alabama having a population of not less than 75,000 nor more than 125,000 inhabitants according to the preliminary count of the 1950 federal census or any subsequent regular decennial federal census." (Act No. 813, S. 662, General Acts 1951, page 1426, approved September 11, 1951).

Also:

H. 868. To authorize the governing body of any municipality in the State of Alabama having a population of not less than 100,000 nor more than 200,000, according to the last or any subsequent federal decennial census, to create a museum board; to provide for the appointment of members of such board and for their terms of office; to authorize the board to adopt rules and regulations governing procedures of the board and the use

of facilities under its jurisdiction and control; to provide for the appointment of a director and employees for such board; to provide that such employees shall be employees of the municipality and subject to any civil service or merit system law in effect in such municipality; to define the powers and duties of the board; and to authorize the municipality to acquire and provide property, and funds, for the use of said board for museum purposes.

Also:

H. 870. To repeal an Act of the Legislature entitled "An Act relating to incorporated cities having a population of not less than 75,000 nor more than 125,000, according to the last or any subsequent federal decennial census; providing for city planning and zoning; creating a planning commission for each such city; prescribing the powers and duties of such a commission; and providing for and regulating appeals from orders, decisions, and actions of the council, commission or like legislative body of each such city made or taken in connection with the recommendations of the planning commission." (Act No. 729, S. 526, General Acts 1957, page 1134, approved September 20, 1957)

Also:

H. 871. Relating to incorporated cities having a population of not less than 100,000 nor more than 200,000, according to the last or any subsequent federal decennial census; providing for city planning and zoning; creating a planning commission for each such city; prescribing the powers and duties of such a commission; and providing for and regulating appeals from orders, decisions, and actions of the council, commission or like legislative body of each such city made or taken in connection with the recommendations of the planning commission.

Also:

H. 872. To authorize the governing body of any municipality in the State of Alabama having a population of as many as 100,000 and not more than 200,000 people, according to the last or any subsequent decennial Federal Census, to provide recreational facilities and services for such city; to provide for the creation, establishment, maintenance and support of a recreation board in any such municipality; to provide for the appointment of such board and to define its duties and powers, and the powers and authority of any such municipality with respect to furnishing recreational facilities, independently or jointly with the county or city or county school board.

Also:

H. 828. To provide for a chief deputy and other deputies and assistants to the sheriff of Lee County, and to repeal Act No. 231, H. 598, Acts of Alabama, Regular Session 1959, vol. I, p. 777, and all other conflicting laws.

Also:

H. 873. Relating to counties having populations of not less than 15,300 nor more than 15,400, according to the 1960 or any subsequent federal decennial census: To divide such counties into four forest protection districts, creating the office of district forest warden for each district within such counties, prescribing the duties of such officers, fixing their compensation, and imposing such duties ex officio upon the members of the county governing body.

Also:

H. 874. To amend further Section 31 of Act No. 32, H. 162, Regular Session 1947, an act establishing the law and equity court of Colbert County (Local Acts 1947, p. 25).

J. E. SPEIGHT,
Secretary.

REPORT ON THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 960. To alter, rearrange, and extend the corporate limits of the City of Anniston in Calhoun County, from time to time, whenever the Board of Commissioners of the City of Anniston shall pass a resolution to the effect that the public good requires such alteration, rearrangement, and extension, and providing for an election to determine whether any such alteration, rearrangement, and extension of the corporate limits of the City of Anniston, Alabama, shall be made.

Also:

H. 961. To alter, rearrange, and extend the corporate limits of the City of Anniston in Calhoun County, Alabama, so as to annex certain territory to said City.

Also:

H. 36. To alter, rearrange, and extend the boundary lines and corporate limits of the Town of Autaugaville, in Autauga County, Alabama.

Also:

H. 195. To amend Section 1 of Act No. 666, of the 1957 Regular Session of the Legislature of Alabama, approved September 20, 1957, relating to the salaries of the judges of Circuit Courts in certain judicial circuits composed of two counties, when the judge is required by law to hold at least two sessions of said court at two different places in any one county in any one year.

Also:

H. 210. Relating to Shelby County; providing further for the custody of county funds; to abolish the office of county treasurer and provide for the selection of a county depository in lieu thereof; to repeal Act No. 608, H. 973, approved September 30, 1919 (Local Acts of Alabama 1919, p. 231) and all acts amendatory thereof.

Also:

H. 211. To amend Act No. 479, H. 1079, approved November 19, 1959, an act establishing the Law and Equity Court for Shelby County, Alabama, in relation to the payment of solicitor fees and trial taxes.

Also:

H. 212. To fix the compensation of the members, other than the chairman, of the court of county commissioners, board of revenue, or like governing body, of all counties having a population of not less than 32,000 nor more than 33,000 inhabitants, according to the last or any subsequent decennial census of the United States; and to provide for the manner of payment of such compensation.

Also:

H. 214. To amend the title and Section 1 of Act No. 693, H. 1124, approved September 20, 1957 (Acts of Alabama 1957, vol. II, p. 1046), an act providing for the economic development of counties having populations of not less than 29,500 nor more than 30,500, according to the 1950 or any subsequent federal decennial census.

Also:

H. 216. To regulate the compensation of bailiffs for the grand jury and bailiffs actually serving in court in every county having a population of not less than 32,000 nor more than 33,000, according to the last or any subsequent decennial census of the population of the United States.

Also:

H. 217. Relating to counties having populations of not less than 32,000 nor more than 33,000 inhabitants according to the 1960 or any subsequent decennial census of the United States: Authorizing the governing body of every such county to provide the circuit clerk of the county an allowance for clerk hire.

Also:

H. 218. To authorize the payment from the county treasury of an expense allowance to the coroner in counties having a population of not less than 32,000 nor more than 33,000 inhabitants, according to the last or any subsequent federal decennial census.

Also:

H. 219. Relating to counties having a population of not less than 32,000 nor more than 33,000, according to the last or any subsequent federal decennial census; authorizing the court of county commissioners, board of revenue or like governing body of every such county to provide the circuit clerk of the county an allowance for clerk hire.

Also:

H. 337. To fix the time of holding meetings of the court of county commissioners, board of revenue, or other like governing body in all counties having populations of not less than 51,000 nor more than 56,000.

Also:

H. 262. To repeal Act No. 214, S. 169, approved July 21, 1953 (Acts of Alabama 1953, page 281) entitled "An Act Relating to cities having a population of not less than 10,000 nor more than 12,000 inhabitants, according to the 1950 or any subsequent decennial census of the population of the

United States; changing the time and method of electing and fixing the term of office of members of the board of commissioners of any such city."

Also:

H. 380. Relating to counties having a population of not less than 16,150 nor more than 17,250 inhabitants; to authorize county governing bodies to provide for payment of expenses of certain county officers.

Also:

H. 514. To regulate further the feeding of prisoners in jail in all counties having a population of not less than 16,150 nor more than 17,350, according to the last or any subsequent federal decennial census.

Also:

H. 516. To repeal Act No. 53, H. 70, approved April 8, 1955, an act relating to the covering of certain employees of certain counties classified on a population basis under the Workman's Compensation Act (Acts of Alabama 1955, vol. I, p. 163).

Also:

H. 518. To repeal Act No. 712, H. 1144, and Act No. 731, S. 534, both of which acts were approved September 20, 1957, and relate to the incorporation of airport authorities as public corporations in the same certain counties classified on a population basis (Acts of Alabama 1957, vol. II, pp. 1094 and 1138, respectively).

Also:

H. 519. To authorize and make provision for the incorporation, in any county of the State of Alabama having a population of not less than 100,000 nor more than 115,000 according to the last or any subsequent federal decennial census, of an authority as a public corporation for the purpose of acquiring, constructing, enlarging, equipping, improving, maintaining, developing and operating airports, heliports, airport buildings and facilities and of constructing, acquiring, establishing, improving, extending, enlarging, reconstructing, equipping, maintaining, repairing and operating building, structures and facilities suitable for use as retail shopping areas or centers, parks, exhibits, exhibitions or for the conduct of any lawful business, at, upon, or adjacent to any airport, heliport or aircraft landing area owned or operated by such authority and leasing or letting such buildings, structures or facilities; to provide for the election of the directors and officers of such authority; to specify its powers; to endow such authority with certain powers of eminent domain; to provide that any county and any city in any county for which an authority has been organized under this act may aid and cooperate in the planning, undertaking construction and operation of airports, heliports and air navigation facilities and may lend, give, donate, sell, convey or transfer money, real property, personal property, mixed property or any right capable of transfer to such authority; to provide that no action or suit shall be brought or maintained against such authority or a director thereof for or on account of the negligence of the authority or director or of its or his agents, servants or employees; to authorize the issuance by such authority of interest bearing revenue bonds payable solely out of the revenues of the authority; to specify provisions of said bonds and to declare them to be negotiable instruments; to provide that said bonds may be secured by pledge of any of the revenues of such

authority to which its right then exists or may thereafter come into existence; to provide that such pledge may be provided for in an indenture between said authority and a corporate trustee or by resolution providing for the issuance of the bonds; to provide that said authority may include in any indenture or resolution authorizing the issuance of bonds provisions customarily contained in instruments securing evidence of indebtedness; to specify the use to which the proceeds of said bonds may be put; to authorize the refunding of said bonds; to provide for remedies in the event of any default; to exempt from all taxation the bonds issued by said authority and the income therefrom, the property of said authority, and the business and activities conducted or engaged in by said authority; to authorize the investment of municipal and county funds in bonds of the authority; to provide that said bonds shall be legal investments for fiduciaries and savings banks and insurance companies; to authorize the publication of notice of the adoption of the resolution authorizing said bonds and specifying the period of time after such publication within which actions and defenses may be asserted respecting said bonds, pledge, and indenture and the proceedings authorizing the same; to provide that the provisions of this act shall be cumulative; to provide for audits of the books and accounts of the authority and to provide that the provisions of this act shall be severable.

Also:

H. 520. To repeal Act No. 718, H. 1052, approved September 5, 1951, an act fixing the salaries of the chairman and associate members of the civil service boards of certain counties classified on a population basis (Acts of Alabama 1950-1951, vol. II, p. 1259).

Also:

H. 521. Relating to counties having a population of not less than 100,000 nor more than 115,000 inhabitants; fixing the salaries of chairman and associate members of the civil service boards of such counties.

Also:

H. 522. To repeal Act No. 225, H. 735, approved August 8, 1955, an Act regulating further the fees and costs entitled to registers in certain cases relating to domestic relations in certain counties classified on a population basis (Acts of Alabama 1955, vol. I, p. 534).

Also:

H. 523. To regulate further the fees and costs which registers are entitled to in cases wherein divorce, alimony, maintenance or support is sought in the circuit court of all counties having populations of not less than 100,000 nor more than 115,000 inhabitants, according to the last or any subsequent federal decennial census.

Also:

H. 524. To repeal Act No. 526, H. 1108, approved November 18, 1959, an act relating to the fixing of supplemental salaries of circuit solicitors in certain judicial circuits composed of one county classified on a population basis (Acts of Alabama 1959, vol. II, p. 1301).

Also:

H. 525. To fix the supplemental salaries of circuit solicitors in judicial

circuits in Alabama composed of one county where the population of such county exceeds 100,000 people and is less than 115,000 people according to the last preceding or any succeeding decennial United States census to be paid out of the county treasury of such counties.

Also:

H. 526. To repeal Act No. 68, H. 56, approved February 24, 1959, an act relating to the increase in compensation and additional duties of circuit clerks in certain counties classified on a population basis (Acts of Alabama 1959, vol. I, p. 118).

Also:

H. 527. To impose extra, new, and additional duties upon the circuit clerks of any county of the State having a population of not less than 100,000 nor more than 115,000 inhabitants; to provide additional compensation for the performance of such duties; and to provide for the payment of the same.

Also:

H. 528. To repeal Act No. 719, H. 1053, approved September 5, 1951, an act authorizing the county governing body of any of certain counties classified on a population basis to pay the premiums on the official bonds of certain county employees (Acts of Alabama 1950-1951, vol. II, p. 1260).

Also:

H. 569. To amend further Section 30½ of Act No. 653, H. 489, approved September 20, 1957, regulating the practice of cosmetology (Acts of Alabama 1957, vol. II, p. 981).

Also:

H. 592. To impose extra, new, and additional duties upon the members of the county governing body of any county of the State having a population of not less than thirty thousand five hundred fifty (30,550). nor more than thirty-one thousand (31,000) inhabitants; to provide additional compensation for the performance of such duties; and to provide for the payment of the same.

Also:

H. 593. To amend Act No. 409, H. 809, Regular Session 1955, which relates to the furnishing of equipment, supplies, and additional clerks to the tax assessors and tax collectors of certain counties classified according to population.

Also:

H. 594. To repeal Act No. 814, S. 672, approved September 11, 1951, entitled, "An Act to impose extra, new, and additional duties upon the members of the county governing body of any county of the State having a population of not less than thirty thousand (30,000) nor more than thirty-three thousand five hundred (33,500) inhabitants; to provide additional compensation for the performance of such duties; and to provide for the payment of the same" (Acts of Alabama 1951, vol. II, p. 1447).

Also:

H. 602. To authorize the Court of County Commissioners of Pike County to provide a clerk of the Juvenile Court of said County, to be appointed by and to hold office at the pleasure of the Judge of said court, and to provide for the duties and compensation of such clerk.

Also:

H. 529. Relating to counties having populations of not less than 100,000 nor more than 115,000 inhabitants; authorizing the county governing body to pay the premiums on the official bonds of certain county employees.

Also:

H. 530. To repeal Act No. 506, S. 482, approved September 3, 1953, an act to provide an assistant coroner for certain counties classified on a population basis (Acts of Alabama 1953, vol. I, p. 636).

Also:

H. 531. To provide an assistant coroner for counties having populations of not less than 100,000 nor more than 115,000 inhabitants according to the last federal census.

Also:

H. 532. To repeal Act No. 549, H. 885, approved September 9, 1953, an act authorizing the governing body of each of certain counties classified on a population basis to appoint a purchasing agent and establish a purchasing system for the county (Acts of Alabama 1953, vol. II, p. 763).

Also:

H. 533. Relating to counties having populations of not less than 100,000 nor more than 115,000 inhabitants according to the last or any subsequent decennial census of the United States; authorizing the governing body of every such county to appoint a purchasing agent and establish a purchasing system for the county.

Also:

H. 534. To repeal Act No. 558, H. 949, approved September 9, 1953, an act relating to annual appropriations for the preparation of public information releases in certain counties classified on a population basis (Acts of Alabama 1953, vol. II, p. 796).

Also:

H. 535. Relating to counties having populations of not less than 100,000 nor more than 115,000 inhabitants according to the last or any subsequent decennial census of the United States; requiring the governing body of every such county to appropriate annually the sum of three hundred dollars for the preparation of public information releases concerning the organization, functions, and expenditures of the offices and departments of the county.

Also:

H. 536. To repeal Act No. 78, H. 282, approved June 21, 1955, an act prescribing the time for opening and closing the polls in certain counties classified on a population basis (Acts of Alabama 1955, vol. I, p. 316).

Also:

H. 537. To apply in all counties having populations of not less than 100,000 nor more than 115,000 inhabitants, according to the last or any subsequent federal decennial census; prescribing the time for opening and closing the polls in such counties and the municipalities therein.

Also:

H. 538. To repeal Act No. 82, H. 72, approved February 24, 1959, an act relating to the employment and compensation of a stenographic secretary by the judge of the inferior court in any of certain counties classified on a population basis (Acts of Alabama 1959, vol. I, p. 144).

Also:

H. 539. To apply in all those counties in Alabama having a population of not less than 100,000 nor more than 115,000 according to the last or any subsequent federal decennial census and to authorize the employment of a stenographic secretary by the judge of the inferior court in such counties and authorizing the payment of the salary of such stenographic secretary out of the treasury of such counties and to repeal all laws and parts of laws inconsistent with this act.

Also:

H. 540. To repeal Act No. 252, H. 725, approved August 13, 1957, an act relating to the payment of the automobile expenses of coroners in certain counties classified on a population basis (Acts of Alabama 1957, vol. I, p. 325).

Also:

H. 541. Providing for the payment of the automobile expenses of coroners in counties having a population of not less than 100,000 nor more than 115,000, according to the last or any subsequent federal decennial census.

Also:

H. 543. To authorize and regulate the micro-filming, photostating or other photographic reproduction of books, records, papers and documents required to be maintained and kept by municipal clerks, municipal recorders, municipal police departments, and other agencies or other instrumentalities of all municipalities in counties in this State having a population of not less than 100,000 nor more than 115,000 according to the last or any subsequent federal decennial census, the destruction or other disposition of the originals of such books, records, papers and documents, and the substitution of such reproductions for the originals thereof; prescribing the force and effect such reproductions shall have and providing for the certification of copies thereof.

Also:

H. 542. To repeal Act No. 290, H. 837, approved August 16, 1957, an act relating to the micro-filming, photostating or other photographic reproduction of books, records, papers and documents of municipalities in certain counties classified on a population basis (Acts of Alabama 1957, vol. I, p. 368).

Also:

H. 544. To repeal Act No. 323, H. 867, approved August 20, 1957, an act relating to the spending of monies collected or on hand for the maintenance of the law library of the circuit court in certain counties classified on a population basis (Acts of Alabama 1957, vol. I, p. 428).

Also:

H. 545. To provide that any monies heretofore or hereafter collected or on hand for the maintenance of the law library of the circuit court of any county in Alabama having a population of not less than 100,000 people and not more than 115,000 people, according to the last or any subsequent federal decennial census shall be expended for the employment of, and salary for, a person or persons to act as librarian, for law books and furniture and equipment, and for other necessary maintenance of the law library of such courts and for no other purpose.

Also:

H. 546. To fix the supplemental salaries of circuit judges in judicial circuits in Alabama composed of one county where the population of such county exceeds 100,000 people and is less than 115,000 people according to the last preceding or any succeeding decennial United States census to be paid out of the county treasury of such counties.

Also:

H. 548. To repeal Act No. 284, H. 796, approved August 23, 1955, an act relating to the disposition of the proceeds of the sale of contraband or forfeited property in certain counties classified on a population basis (Acts of Alabama 1955, vol. I, p. 649).

Also:

H. 547. To repeal Act No. 699, S. 480, approved September 20, 1957, an act relating to fixing the supplemental salaries of circuit judges in judicial circuits composed of one county classified on a population basis (Acts of Alabama 1957, vol. II, p. 1060).

Also:

H. 550. To fix the compensation of certain officers of counties having populations of not less than 100,000 nor more than 115,000 inhabitants and in which the Legislature is authorized to fix, regulate and alter the salaries of such officers.

Also:

H. 551. To repeal Act No. 21, S. 106, approved June 10, 1957, an act relating to the fixing of compensation of certain officers in certain counties classified on a population basis (Acts of Alabama 1957, vol. I, p. 54).

Also:

H. 552. To repeal Act No. 287, H. 585, approved August 23, 1955, as amended, an act relating to the operation of certain cemeteries in certain counties classified on a population basis (Acts of Alabama 1955, vol. I, p. 652), and all acts amendatory thereof.

Also:

H. 553. Relating to counties having populations of not less than 100,000 nor more than 115,000 inhabitants according to the last or any subsequent decennial census of the United States; regulating the business of operating certain cemeteries within such counties.

Also:

H. 554. To repeal Act No. 51, H. 37, approved March 4, 1955, an act relating to the attendance of polio victims at public schools in certain counties classified on a population basis (Acts of Alabama 1955, vol. I, p. 84).

Also:

H. 556. To repeal Act No. 459, H. 878, approved September 9, 1955, an act relating to the levy of certain taxes when such a levy is approved at an election called for such purpose in certain counties classified on a population basis (Acts of Alabama 1955, vol. II, p. 1046).

Also:

H. 557. To repeal Act No. 293, H. 811, approved August 26, 1955, an act creating a hospital board in any of certain counties classified on a population basis (Acts of Alabama 1955, vol. I, p. 686).

Also:

H. 559. To repeal Act No. 59, H. 78, approved April 13, 1955, an act relating to the authorization and compensation of certain probation officers in certain counties classified on a population basis (Acts of Alabama 1955, vol. I, p. 172).

Also:

H. 560. To repeal Act No. 405, S. 511, approved August 15, 1951, an act relating to the appointment, duties, compensation, transportation and expenses of a humane officer in certain counties classified on a population basis (Acts of Alabama 1950-1951, vol. I, p. 730).

Also:

H. 561. To repeal Act No. 424, S. 509, approved August 15, 1951, an act relating to appropriations and expenditures to aid in the care of sick persons in certain counties classified on a population basis (Acts of Alabama 1950-1951, vol. I, p. 758).

Also:

H. 562. To repeal Act No. 311, S. 411, approved July 31, 1951, as amended, an act relating to the regulation of the office of the sheriff in

certain counties classified on a population basis (Acts of Alabama 1950-1951, vol. I, p. 606), and all acts amendatory thereof.

Also:

H. 567. To provide for collection and enforcement by the state department of revenue of sales and use taxes levied or assessed by the city of Geneva, Geneva County.

Also:

H. 571. To alter and re-arrange the boundary lines of the City of Birmingham, Jefferson County, Alabama, so as to exclude certain territory from within the boundaries of said municipality.

Also:

H. 572. To alter, re-arrange and extend the boundary lines and corporate limits of the City of Mountain Brook, in Jefferson County, Alabama, so as to include within the boundaries of said municipality certain additional territory.

Also:

H. 626. To repeal Act No. 306, H. 696, approved October 15, 1959, an act to provide that clerks of county courts in certain counties classified on a population basis may take affidavits and complaints and issue warrants of arrest in misdemeanor cases (Acts of Alabama 1959, vol. 2, p. 878).

Also:

H. 625. To repeal Act No. 357, H. 761, approved August 17, 1953, an act relating to reimbursement of the county superintendents of education in certain counties classified on a population basis any sums expended in payment of certain premiums on surety bonds (Acts of Alabama 1953, vol. I, p. 425).

Also:

H. 256. To provide additional revenue for educational purposes in Choctaw County; authorizing the court of county commissioners, board of revenue, or like county governing body, to levy, when approved at a referendum election, special county privilege license and excise taxes paralleling, at lower rates, state sales and use taxes as provided for in Act No. 100, H. 94, approved August 18, 1959, and in Article 11 of Chapter 20, Title 51, Code of Alabama 1940, as heretofore amended and supplemented; providing for collection and enforcement of such taxes by the state department of revenue.

Also:

H. 627. To provide that clerks of county courts in all counties having a population of not less than 25,700, nor more than 25,900, according to the most recent federal decennial census, may take affidavits and complaints and issue warrants of arrest in misdemeanor cases.

Also:

H. 628. To repeal Act No. 241, H. 682, approved August 13, 1957, an act relieving the members of the boards of registrars in certain counties

classified on a population basis of the duty of visiting precincts or voting places in the performance of their official duties (Acts of Alabama 1957, vol. I, p. 301).

Also:

H. 629. Relating to the registration of voters in counties having populations of not less than 25,700 nor more than 25,900, according to the 1960 or any subsequent federal decennial census; relieving the members of the boards of registrars in such counties of the duty of visiting precincts or voting places in the performance of their official duties.

Also:

H. 630. To fix the compensation of members of the court of county commissioners, board of revenue or like governing body of all counties having populations of not less than 25,700 nor more than 25,900, according to the 1960 or any subsequent federal decennial census.

Also:

H. 631. To repeal Act No. 204, H. 566, approved August 13, 1957, an act fixing the compensation of members of the county governing body of each of certain counties classified on a population basis (Acts of Alabama 1957, vol. I, p. 263).

Also:

H. 632. To repeal Act No. 135, H. 557, approved July 12, 1957, an act authorizing the payment of the salaries of certain employees of certain counties classified on a population basis (Acts of Alabama 1957, vol. I, p. 182).

Also:

H. 633. Relating to counties having populations of not less than 25,700 nor more than 25,900, according to the 1960 or any subsequent federal decennial census; authorizing the payment of the salaries of certain employees of such counties on a semi-monthly basis.

Also:

H. 645. To authorize each of the municipalities of the State having populations of not less than 15,700 nor more than 16,250 to acquire by purchase any hospital and, as all or a part of the purchase price, to assume any indebtedness on such hospital and to agree to postpone the maturity date thereof and pay interest thereon or issue its bonds, revenue bonds, warrants, or notes, in order to secure funds to pay the purchase price thereof or at the time of purchase or later to finance extensions and improvements thereto and to provide for covenants and obligations in favor of the holders of such bonds, revenue bonds, warrants or notes; and to permit each such municipality to create a Board of Hospital Managers, as a self perpetuating body, to which such municipality may irrevocably delegate all powers, authority, functions and duties with respect to the management, operation and control of such hospital, and to provide for the election of the members of such board, the confirmation and removal of such members, the officers of the board, the compensation of members and officers of the board, the bylaws, powers, functions and duties of such board, and to limit the liability of the members of such board.

Also:

H. 646. To repeal Act No. 498, H. 909, approved September 30, 1947, an act relating to the regulation and licensing of barbers and barber colleges in certain counties classified on a population basis (General Acts of Alabama 1947, p. 343).

Also:

H. 647. To repeal Act No. 545, S. 593, approved August 28, 1951, an act relating to powers of certain municipalities, classified on a population basis, as to the creation, operation and control of certain hospitals (Acts of Alabama 1950-1951, vol. II, p. 958).

Also:

H. 648. Relating to the registration of voters in counties having populations of not less than 46,500 nor more than 48,000 inhabitants according to the 1960 or any subsequent decennial census of the United States: Relieving the members of the board of registrars in such counties from the duty of visiting precincts or voting places in the performance of their official duties.

Also:

H. 649. To repeal Act No. 483, H. 858, approved September 3, 1953, an act relating to the registration of voters in certain counties classified on a population basis (Acts of Alabama 1953, vol. I, p. 610).

Also:

H. 663. To enlarge the corporate limits of the City of Wetumpka, in Elmore County, Alabama, by including therein certain territory in addition to the territory now embraced within the corporate limits of the City of Wetumpka.

Also:

H. 675. Relating to the municipality of Hamilton, in Marion County, Alabama: To alter, re-arrange, and extend the boundaries and corporate limits of the Town of Hamilton, Alabama.

Also:

H. 738. To amend Act No. 95, H. 434, Regular Session 1957, an act fixing the compensation of the superintendent of education of Dale County.

Also:

H. 741. Relating to Lawrence County, abolishing the fine and forfeiture fund of Lawrence County and providing that all monies now in the fine and forfeiture fund or hereafter collected for such fund shall be paid into the general fund of such county and that all claims due or to become due from the fine and forfeiture fund shall be paid from the general fund of the county; providing that witness certificates obtained as a state's witness before the grand jury or the circuit court, county court or other inferior court in which a criminal prosecution is pending shall be paid from the general fund on presentation; providing that all monies now held or hereafter collected as witness fees for state's witnesses in the

circuit court, county court or other inferior court shall be paid on collection into the general fund of the county.

Also:

H. 752. To amend further Act No. 23, Regular Session 1943, which relates to the county superintendent of education of Coosa County (Local Acts of Alabama 1943, p. 14).

Also:

H. 765. For the relief of W. J. Griffin, Jr., of Thomasville, Ala.; authorizing and directing the court of county commissioners, board of revenue, or other like governing body of Clarke County to appropriate county funds for such purpose.

Also:

H. 766. To repeal Act No. 727, H. 1100, approved September 5, 1951, relating to the fixing of the expense allowance of the county superintendent of education in certain counties classified on a population basis (Acts of Alabama 1950-1951, vol. II, p. 1278).

Also:

H. 767. To provide that in all counties having populations of not less than 12,000 nor more than 13,000, the board of county commissioners, board of revenue, or other like governing bodies may designate one or more state or national banks as the county depository.

Also:

H. 768. Relating to counties having populations of less than 12,000 inhabitants; to fix the expense allowance of the county superintendent of education of such counties.

Also:

H. 769. To alter, rearrange and extend the boundaries and corporate limits of the Town of Pinckard, Dale County, Alabama, so as to annex certain territory to the town.

Also:

H. 807. Relating to all counties in the State having populations of not less than 15,000 nor more than 15,300 inhabitants, according to the 1960 or any subsequent Federal decennial census; to authorize the governing body of any such county to allow and pay to the sheriff an amount not in excess of one hundred dollars (\$100) monthly for expenses incurred in operation, upkeep, repair and maintenance of his privately-owned automobile used on official business.

Also:

H. 808. To repeal Act No. 133, H. 443, approved July 12, 1957, an act providing for an allowance for maintenance of the privately-owned automobile of the sheriff in certain counties classified on a population basis when used in the performance of his official duties (Acts of Alabama 1957, vol. I, p. 181).

Also:

H. 809. Relating to counties having populations of not less than 15,000 nor more than 15,300 inhabitants according to the 1960 or any subsequent decennial census of the United States; providing for the compensation of members of jury commissions in such counties.

Also:

H. 810. To repeal Act No. 136, H. 197, approved February 24, 1956, an act dividing certain counties classified on a population basis into forest districts and creating the office of district forest warden for each district within such counties (Acts of Alabama 1956, p. 196).

Also:

H. 811. For relief of Herman Aman, of Dothan, Route 3; authorizing an appropriation from the treasury of Houston County for that purpose.

Also:

H. 812. To alter, re-arrange and extend the boundaries of the Town of Avon in Houston County, Alabama.

Also:

H. 813. Relating to City of Dothan, Houston County: To provide for the relief of City Employee Willis D. Hewes, pursuant to Resolution No. 2579 of the Board of Commissioners of said City, and the concurrence of the Pension Board of the Retirement System of said City, by allowing credit for prior employment towards retirement as a member of said City of Dothan Retirement System.

Also:

H. 828. To provide for a chief deputy and other deputies and assistants to the sheriff of Lee County, and to repeal Act No. 231, H. 598, Acts of Alabama, Regular Session 1959, vol. I, p. 777, and all other conflicting laws.

Also:

H. 835. To repeal Act No. 47, H. 61, approved April 8, 1955 (Acts of Alabama 1955, vol. I, p. 157) which applies only in counties having populations of not less than 47,500 nor more than 52,500, according to the 1950 or any subsequent federal decennial census, and relates to the appointment of a deputy clerk of the circuit court.

Also:

H. 836. To repeal Act No. 165, H. 30, approved June 29, 1951 (Acts 1950-1951, vol. I, p. 403), and Act No. 446, H. 935, approved November 13, 1959 (Acts 1959, vol. II, p. 1140), which relate to the appointment and compensation of clerks of the tax assessors and tax collectors of counties having populations of not less than 47,000 nor more than 51,000.

Also:

H. 837. To repeal Act No. 725, S. 491, approved September 20, 1957 (Acts 1957, vol. II, p. 1129), which applies only in counties having popula-

tions of not less than 46,000 nor more than 49,000, according to the 1950 or any subsequent federal decennial census.

Also:

H. 838. To repeal Act No. 48, H. 62, approved April 8, 1955 (Acts of Alabama 1955, vol. I, p. 158) which applies only in counties having populations of not less than 47,500 nor more than 52,500, according to the 1950 or any subsequent federal decennial census, and relates to the office of county solicitor in such counties.

Also:

H. 839. To repeal Act No. 448, H. 630, approved August 17, 1951 (Acts 1950-1951, p. 800) entitled "An Act to fix the salary of County Superintendents of Education in all counties of the State of Alabama having a population of not less than 45,090 and not more than 46,550 according to the 1950 Federal Census, or any subsequent Federal census, and to provide when this Act shall take effect."

Also:

H. 863. To repeal an Act of the Legislature entitled "An Act to provide for the appointment of a humane officer in all counties in this state which may now have or which hereafter have a population of ninety-six thousand people and less than one hundred forty-one thousand people according to the last Federal census or any census which may hereafter be taken; to define the duties and fix the compensation of said humane officer; to provide for transportation and the expenses of same and other expenses incurred in the performance of his duties." (Act No. 405, S. 511, General Acts 1951, page 730, approved August 15, 1951.)

Also:

H. 864. To provide for the appointment of a humane officer in all counties in this state which may now have or which may hereafter have a population of 150,000 people and less than 300,000 people and in which there is an incorporated city having a population of 100,000 people and less than 200,000 people according to the last Federal census or any census which may hereafter be taken; to define the duties and fix the compensation of said humane officer; to provide for transportation and the expenses of same and other expenses incurred in the performance of his duties; and placing such officer under the operation of a city county merit system in such counties having such a system.

Also:

H. 865. To repeal an Act of the Legislature entitled "An Act to authorize the governing body of any municipality in the State of Alabama having a population of as many as 78,000 people and not more than 120,000 people, according to the 1950 or any succeeding regular decennial Federal Census, to provide park and recreational facilities and services for such city; to provide for the creation, establishment, maintenance and support of a park and recreation board in any such municipality; to provide for the appointment of such board and to define its duties and powers, and the power and authority of any such municipality with respect to furnishing park and recreational facilities, independently or jointly with the county or city or county school board." (Act No. 440, H. 924, General Acts 1951, page 791, approved August 17, 1951).

Also:

H. 866. To repeal an Act of the Legislature entitled "An Act to authorize the governing body of any municipality in the State of Alabama having a population of not less than 75,000 nor more than 125,000, according to the last or any subsequent federal decennial census, to create a museum board; to provide for the appointment of members of such board and for their terms of office; to authorize the board to adopt rules and regulations governing procedures of the board and the use of facilities under its jurisdiction and control; to provide for the appointment of a director and employees for such board; to provide that such employees shall be employees of the municipality and subject to any civil service or merit system law in effect in such municipality; to define the powers and duties of the board; and to authorize the municipality to acquire and provide property, and funds, for the use of said board for museum purposes." (Act No. 467, H. 1038, General Acts 1959, page 1161, approved November 13, 1959.)

Also:

H. 867. To repeal an Act of the Legislature entitled "An Act to provide for and prescribe the form of government for all cities of Alabama having a population of not less than 75,000 nor more than 125,000 inhabitants according to the preliminary count of the 1950 federal census or any subsequent regular decennial federal census." (Act No. 813, S. 662, General Acts 1951, page 1426, approved September 11, 1951).

Also:

H. 868. To authorize the governing body of any municipality in the State of Alabama having a population of not less than 100,000 nor more than 200,000, according to the last or any subsequent federal decennial census, to create a museum board; to provide for the appointment of members of such board and for their terms of office; to authorize the board to adopt rules and regulations governing procedures of the board and the use of facilities under its jurisdiction and control; to provide for the appointment of a director and employees for such board; to provide that such employees shall be employees of the municipality and subject to any civil service or merit system law in effect in such municipality; to define the powers and duties of the board; and to authorize the municipality to acquire and provide property, and funds, for the use of said board for museum purposes.

Also:

H. 870. To repeal an Act of the Legislature entitled "An Act relating to incorporated cities having a population of not less than 75,000 nor more than 125,000, according to the last or any subsequent federal decennial census; providing for city planning and zoning; creating a planning commission for each such city; prescribing the powers and duties of such a commission; and providing for and regulating appeals from orders, decisions, and actions of the council, commission or like legislative body of each such city made or taken in connection with the recommendations of the planning commission." (Act No. 729, S. 526, General Acts 1957, page 1134, approved September 20, 1957)

Also:

H. 871. Relating to incorporated cities having a population of not less than 100,000 nor more than 200,000, according to the last or any sub-

sequent federal decennial census; providing for city planning and zoning; creating a planning commission for each such city; prescribing the powers and duties of such a commission; and providing for and regulating appeals from orders, decisions, and actions of the council, commission or like legislative body of each such city made or taken in connection with the recommendations of the planning commission.

Also:

H. 872. To authorize the governing body of any municipality in the State of Alabama having a population of as many as 100,000 and not more than 200,000 people, according to the last or any subsequent decennial Federal Census, to provide recreational facilities and services for such city; to provide for the creation, establishment, maintenance and support of a recreation board in any such municipality; to provide for the appointment of such board and to define its duties and powers, and the powers and authority of any such municipality with respect to furnishing recreational facilities, independently or jointly with the county or city or county school board.

Also:

H. 873. Relating to counties having populations of not less than 15,300 nor more than 15,400, according to the 1960 or any subsequent federal decennial census: To divide such counties into four forest protection districts, creating the office of district forest warden for each district within such counties, prescribing the duties of such officers, fixing their compensation, and imposing such duties ex officio upon the members of the county governing body.

Also:

H. 874. To amend further Section 31 of Act No. 32, H. 162, Regular Session 1947, an act establishing the law and equity court of Colbert County (Local Acts 1947, p. 25).

Also:

H. 220. To amend Act No. 730, S. 528, approved September 20, 1957 (Acts of Alabama 1957, page 1136) which relates to the use outside their corporate limits of municipal fire fighting equipment and personnel by certain towns.

Also:

H. 221. To amend further Section 462, Title 37, Code of Alabama 1940, as amended, relating to the publication and recording of ordinances.

Also:

H. 638. To repeal Act No. 142, H. 456, approved September 21, 1959, entitled "An Act To empower the board of revenue, court of county commissioners, or other like governing body of counties having a population of not less than 40,500 nor more than 45,000 inhabitants, according to the last or any subsequent federal decennial census, to authorize the offices of officials in the courthouse to be closed all day on Saturday each week" (Acts of Alabama 1959, vol. 1, p. 662).

Also:

H. 639. To empower the board of revenue, court of county commissioners, or other like governing body of counties having a population of not less than 48,500 nor more than 49,500 inhabitants, according to the 1960 or any subsequent federal decennial census, to authorize the offices of officials in the courthouse to be closed all day on Saturday each week.

Also:

H. 640. To repeal Act No. 20, H. 7, approved February 19, 1959, entitled "An Act Relating to corporations organized to operate municipal water, sewer, gas, and electric systems; regulating further the compensation of members of boards of directors of such corporations in all counties having a population of not less than 40,500 nor more than 44,500, according to the last or any subsequent federal decennial census" (Acts of Alabama 1959, vol. 1, p. 47).

Also:

H. 641. To repeal Act No. 439, H. 641, approved August 28, 1953, entitled "An Act Relating to municipal corporations; providing that the governing body of any town (as defined by Section 5, Title 37, Code 1940) located within a county having a population of not less than 40,500 nor more than 45,000, according to the last or any subsequent federal decennial census, for which a corporation has been organized to operate a water works, sewer, gas, or electric system under the provisions of Act No. 175, S. 280, approved June 29, 1951, as amended, may increase the number of directors of such corporation" (Acts of Alabama 1953, vol. I, p. 546).

Also:

H. 642. To repeal Act No. 267, H. 734, approved August 16, 1957, entitled "An Act Relating to all counties having a population of not less than 40,500 nor more than 45,000 inhabitants, according to the last or any subsequent federal census; regulating the compensation and allowances of directors of certain utility boards heretofore or hereafter established in such counties" (Acts of Alabama 1957, vol. I, p. 341).

Also:

H. 643. Relating to all counties having a population of not less than 48,500 nor more than 49,500 inhabitants, according to the 1960 or any subsequent federal census; regulating the compensation and allowances of directors of certain utility boards heretofore or hereafter established in such counties.

Also:

H. 644. Relating to corporations organized to operate municipal water, sewer, gas, and electric systems; regulating further the compensation of members of boards of directors of such corporations in all counties having a population of not less than 48,500 nor more than 49,500, according to the 1960 or any subsequent federal decennial census.

Also:

H. 743. To provide for payment of salaries of deputy sheriffs from

the highway and traffic funds of all counties having populations of not less than 22,350 nor more than 24,500.

Also:

H. 757. To provide contingent funds for all counties having populations of not less than 48,500 nor more than 49,500, and regulating the use of such funds.

Also:

H. 774. To repeal Act No. 133, H. 446, approved June 26, 1953, an act to regulate the compensation and allowances of the superintendent of education of certain counties classified on a population basis (Acts of Alabama 1953, vol. I, p. 181).

Also:

H. 879. To fix the compensation of the deputy solicitor of all counties having a population of not less than 27,000 nor more than 30,000, according to the 1960 or any subsequent federal decennial census.

Also:

H. 885. To repeal Act No. 396, S. 550, approved August 16, 1949, entitled "An Act To provide for the proportion of contribution by counties and incorporated municipalities therein to the budget of a county health department in all counties in this State having a population exceeding 100,000, and not exceeding 140,000 inhabitants, according to the latest Federal Census, or which shall hereafter have such population, according to any such census that may hereafter be taken," (Acts of Alabama 1949, p. 567).

Also:

H. 156. Relating to Mobile County; to alter, rearrange and extend the boundaries of the City of Mobile so as to include within the corporate limits thereof certain additional territory located in Section 7, Township 5 South, Range 2 West, Mobile County, Alabama.

Also:

H. 608. To levy county sales and use taxes for public school purposes in Blount County; to provide for the collection of such taxes by the state department of revenue, and for the distribution and use of the proceeds thereof; to provide for the enforcement of the Act; and to provide penalties.

Also:

H. 609. Providing further for the registration of voters in Blount County.

Also:

H. 612. Regulating the compensation of members of the jury commission in Blount County.

Also:

H. 697. Relating to counties of not less than 225,000 nor more than

500,000; to provide further for appeals in cases in equity from circuit courts, courts of like jurisdiction and all other courts of record, which have court reporters and from which appeals lie directly to the Supreme Court of Alabama; to prescribe the manner in which evidence shall be transcribed and made a part of the record, and for assignment of error on the record.

Also:

H. 786. To repeal Act No. 376, S. 466, approved August 7, 1951, as amended, an act fixing the salaries of certain county officers in certain counties classified on a population basis (Acts of Alabama 1950-1951, vol. I, p. 669), and all acts amendatory thereof.

Also:

H. 787. To repeal Act No. 698, S. 422, approved September 20, 1957, an act relating to the compensation and allowances of certain officers of certain counties classified on a population basis (Acts of Alabama 1957, vol. II, p. 1058).

Also:

H. 788. To repeal Act No. 450, H. 958, approved September 9, 1955, as amended, an act fixing the salaries of certain county officers in certain counties classified on a population basis (Acts of Alabama 1955, vol. II, p. 1003), and all acts amendatory thereof.

Also:

H. 791. To apply in all counties of this state having populations of not less than 96,000 and not more than 116,000 according to the latest or any subsequent federal decennial census and to allow the boards of revenue or other like governing body of such counties to fix and set aside, by resolution, certain days of the week for the closing of the offices in the court house of such counties.

Also:

H. 792. To repeal Act No. 317, H. 645, approved October 29, 1959, an act relating to allowing the governing bodies in certain counties classified on a population basis to fix and set aside certain days of the week for closing the offices in the courthouse (Acts of Alabama 1959, vol. II, p. 896).

Also:

H. 793. To apply in all counties in this state having populations of not less than 96,000, and not more than 116,000, according to the latest or any subsequent federal decennial census, and to provide for and authorize the introduction in evidence in any court in Alabama in such counties, when relevant and material, certified copies of hospital records or any hospital organized or operated under or pursuant to the laws of Alabama, including records of admission, medical, clinical, hospital, occupational, disease, injury and disability histories, X-Rays and written interpretations thereof, pictures, photographs, files, written orders, directions, findings and reports of physicians, doctors, surgeons, pathologists, radiologists, specialists, dentists, technicians and nurses, as well as employees of such hospital, forming a part of such hospital records, as to the health, physical and mental condition, state, sickness, disease, mental

and physical disorders, damages, duration and character of disabilities, diagnosis, prognosis, progress, operations, incisions, injuries, wounds, cuts, lacerations, bruises, breaks, examinations, tests, transfusions, hospitalization and duration thereof, medication, medicines, treatment and care and charge sheets and the costs, expenses, fees and charges therefor and thereof, as to and of a patient in said hospital, when the custodian of such hospital records certifies and affirms in writing that the same are an exact, full, true and correct copy of such hospital records; with the proviso that all circumstances of the making of such hospital records, including lack of personal knowledge by the entrant or maker, may be otherwise shown to affect the weight of such hospital records but they shall not affect their admissibility; and to provide for the cost and the taxing thereof for said copy and certificate and affirmance in writing thereto and the filing of said copy with the clerk or register of the court having jurisdiction of the suit or proceeding, and to provide for subpoena duces tecum therefor.

Also:

H. 794. To repeal Act No. 13, H. 31, approved July 17, 1959, an act relating to the use of authorized certified copies of hospital records as evidence in certain counties classified on a population basis (Acts of Alabama 1959, vol. I, p. 174).

Also:

H. 795. To repeal Act No. 42, H. 38, First Special Session 1959, approved February 19, 1959 (Acts of Alabama 1959, vol. I, p. 78), an act relating to the appointment, tenure, number and compensation of bailiffs for certain judicial circuits classified on a population basis.

Also:

H. 798. To repeal Act No. 501, S. 544, approved August 22, 1951, an act imposing extra, new, and additional duties upon the judges of county courts in certain counties classified on the basis of population (Acts of Alabama 1950-1951, vol. I, p. 894).

Also:

H. 799. Relating to Sumter County: To authorize and empower the county board of education to remove or terminate the contract of employment of any teacher in the public school system at any time such action is deemed necessary to promote the best interest of the schools under its jurisdiction; repealing conflicting laws.

Also:

H. 844. To fix the compensation of the county solicitor, deputy solicitor, or deputy circuit solicitor of all counties having a population of not less than 21,850 nor more than 21,950, according to the last or any subsequent federal decennial census.

Also:

H. 845. Relating to counties having a population of not less than 21,850 and not more than 21,950 inhabitants according to the last or any subsequent federal decennial census, to authorize county governing bodies to pay a salary to a deputy sheriff, other than and in addition to the chief deputy sheriff holding appointment from the sheriff of such county and to

pay a salary to such other deputy sheriff of not more than \$250.00 per month to be paid by monthly installment out of the treasury of such counties upon the warrant of the governing body of such counties.

Also:

H. 846. To repeal Act No. 453, H. 798, approved July 6, 1943, an act relating to additional duties and additional per diem for members of the court of county commissioners or like governing bodies in certain counties classified on a population basis (General Acts of Alabama 1943, p. 415).

Also:

H. 851. To regulate the compensation and allowances of the judge of probate of all counties having populations of not less than 65,000 nor more than 95,000.

Also:

H. 876. Relating to Randolph County, designating the Judge of Probate as purchasing agent for the county, regulating the purchase of supplies, materials, equipment, and contractual services for Randolph County; and providing the penalty for violation of this Act.

Also:

H. 877. Providing further for the government of Randolph County; placing the members of the court of county commissioners or other like governing body of Randolph County on a salary; prescribing their jurisdiction and authority relative to the establishing, constructing, repairing and maintenance of county roads and bridges; providing for the disbursement of gasoline tax moneys received from the State on a county-wide basis under the direction of the county governing body; and prescribing the compensation, qualifications, powers and duties of the county engineer appointed by the governing body.

Also:

H. 878. To regulate further the compensation and allowances of certain officers of counties having a population of not less than 96,000 nor more than 106,000, according to the last or any subsequent federal decennial census.

Also:

H. 991. To amend Section four (4) of an Act of the Legislature approved March 23, 1955, entitled: An Act; To establish in Mobile County, Alabama, the positions of Administrative Assistant to the Circuit Solicitor of the Thirteenth Judicial Circuit of Alabama and Legal Stenographer to the Circuit Solicitor of the Thirteenth Judicial Circuit of Alabama; to prescribe their duties; to fix their term of employment and to prescribe their compensation and provide for the payment of their compensation out of the General Fund of Mobile County, Alabama.

Also:

H. 114. Proposing an amendment to the Constitution of Alabama relating to the industrial development of Franklin County and the municipalities therein.

Also:

H. 754. Proposing an amendment to the Constitution of Alabama relative to promotion of economic development of Autauga County.

Also:

H. 805. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing Geneva County to incur additional indebtedness to the extent of not exceeding \$600,000 in principal amount, and to issue its general obligation bonds in evidence of the indebtedness so incurred, for the construction and equipment of a courthouse and jail in said county, and to levy and collect a special ad valorem tax in said county for the purpose of retiring such bonds and maintaining the courthouse and jail so constructed, and to specify conditions precedent to such actions.

And finds same correctly enrolled.

VIRGIS M. ASHWORTH,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 349. To alter, rearrange, and extend the corporate limits of the City of Mountain Brook, Jefferson County, so as to include within the corporate limits of said City of Mountain Brook certain additional territory.

Also:

H. 449. To amend further Act No. 671, H. 921, approved September 4, 1951 (Acts of Alabama 1951, vol. II, p. 1158), creating and establishing a civil service system to govern the appointment, tenure, compensation, conditions of employment, and removal of certain officers and employees in such cities.

Also:

H. 450. To amend the title and Section 1 of Act No. 112, H. 380, approved June 19, 1951 (Acts of Alabama 1951, vol. I, p. 337), providing for the name, number and designation of the governing body of certain cities classified on a population basis; providing for the selection of employees in all such cities and prescribing the authority of the governing

body of such cities with respect to such employees; providing for the distribution of the powers and duties of and among the members of the governing body of each such city; and providing for their compensation.

Also:

H. 451. To amend the title and Section 1 of Act No. 153, H. 449, approved June 30, 1953 (Acts of Alabama 1953, vol. I, p. 195), regulating and fixing the minimum salary of firemen and policemen in certain cities classified on a population basis.

Also:

H. 452. To repeal Act No. 499, S. 617 approved August 30, 1949, entitled "An Act Relating to all cities in the State of Alabama having a population of not less than 50,000 people nor more than 78,500 people, according to the last or any succeeding regular decennial Federal Census; providing for the name, number and designation of members of the governing body of all such cities; providing for the selection and employment of employees in all such cities and prescribing the authority of the governing body of such cities with respect to said employees; providing for distribution of the powers and duties of and among the members of the governing body of each such city; providing the time when the provisions of this act shall become effective; and repealing all laws or parts of laws, general, local or special, in conflict with the provisions hereof." (Acts of Alabama 1949, p. 724)

Also:

H. 454. To repeal Act No. 500, S. 618, approved August 30, 1949 entitled "An Act Prescribing the compensation to be paid to members of the governing body in all cities in the State of Alabama having a population of not less than 50,000 people nor more than 78,500 people, according to the last or any succeeding regular decennial Federal Census, where such cities operate under the commission form of government; providing a method of payment of such compensation and providing the time when this Act shall become effective; and repealing all laws or parts of laws in conflict with the provisions hereof" (Acts of Alabama 1949, p. 725).

Also:

H. 455. To repeal Act No. 498, S. 616, approved August 30, 1949, entitled "An Act To provide for the name and number of members of the governing body of all cities in the State of Alabama having a population of not less than 50,000 people nor more than 78,500 people, according to the last or any succeeding regular decennial Federal Census; to provide for the designation of the members of the governing body of all such cities; to provide that in all primary and general elections for nomination or election of members of the governing body in such cities, each such position to be filled shall be designated separately and shall appear separately on all ballots in such elections; to provide that each candidate for nomination or election in such election shall designate the position to which he is seeking nomination or election; to provide the manner in which the names of candidates shall appear on ballots in such elections; and to repeal all laws or parts of laws, general, local or special, in conflict with the provisions hereof." (Acts of Alabama 1949, p. 723)

Also:

H. 456. To amend further Act No. 379, H. 786, approved July 9, 1943

(Acts of Alabama Regular Session 1943 and Special Session 1942, p. 349), an act to establish a Policemen and Firemen's Retirement Fund in certain cities classified on a population basis; to provide for such fund, its sources, management, and administration; to provide for a Board of Trustees and Secretary-Treasurer thereof for such fund; to provide for the retirement and reinstatement of active or retired members of such departments and payment of benefits provided for hereunder; to provide for payment of benefits to widows and orphans, and widowed mothers of such members; and to provide for appeals from rulings of the Board of Trustees.

Also:

H. 457. To repeal Act No. 378, H. 785, approved July 6, 1943, entitled "An Act To provide for appeals from decisions of Civil Service Boards by whatever name known, governing the police and fire departments in all cities of the State of Alabama which now have a population of as many as 35,000 and less than 75,000, according to the last Federal Census, or which shall have such populations according to any such census that may hereafter be taken and in which the police and fire departments are now or may hereafter be governed and controlled by a Civil Service Board, by whatever name known; to regulate and define the persons, officers, and positions governed and controlled by Civil Service laws and regulations now or hereafter in force and effect in such cities; to continue in full force and effect any Civil Service laws or regulations not herein modified; and to repeal all laws and parts of laws whether general, special or local, and whether codified on uncoded, in conflict with the provisions of this Act" (Acts of Alabama Regular Session 1942 and Special Session 1943, p. 347).

Also:

H. 651. To permit any bank having its principal place of business in Conecuh County to establish, maintain, and operate, within the Town of Castleberry, a branch or additional office or place of business, subject to the approval of the state superintendent of banks.

Also:

H. 753. For the relief of McCord Oil Company of Goodwater, Alabama; making an appropriation of state highway department funds to compensate such company for certain materials furnished for Alabama Highway Project No. USG-347(4).

Also:

H. 777. To amend Act No. 84, H. 94, First Special Session 1956, an act providing an optional plan by which certain counties classified on a population basis may establish two or more voting places within an election precinct (Acts of Alabama 1956, p. 125).

Also:

H. 780. To provide for special meetings of boards of education of all counties having populations of not less than 17,500 nor more than 17,800, according to the 1960 or any subsequent federal decennial census, and to regulate the compensation of the members of such boards of education.

Also:

H. 817. To alter, rearrange and extend the boundaries of the City of

Bessemer, Alabama, so as to include within the corporate limits thereof certain additional territory in Section 32, Township 18 South, Range 4 West, Jefferson County, Alabama.

Also:

H. 818. To alter, rearrange and extend the boundaries of the City of Bessemer, Alabama, so as to include within the corporate limits thereof certain additional territory in Section 20, Township 19, Range 4 West, Jefferson County, Alabama.

Also:

H. 819. Relating to powers of governing bodies of counties having populations in excess of 600,000; authorizing expenditures of county funds to replace property of deputy sheriffs damaged or destroyed under certain specified conditions.

Also:

H. 833. To provide further for election of the mayor and council of all cities having populations of not less than 70,000 nor more than 120,000, according to the 1960 or any subsequent federal decennial census.

Also:

H. 834. Authorizing counties having a population of not less than 110,000 nor more than 160,000, according to the last or any subsequent federal decennial census, and the municipalities within such counties, either singly or jointly, to create airport authority boards; providing for the selection of the members of such boards, and prescribing their qualifications, terms, and compensation; and providing for the organization, jurisdiction, powers, and duties of such boards.

Also:

H. 875. To amend Act No. 642, H. 1043, Regular Session 1957, an act changing the method of compensating certain officers of Colbert County and providing compensation for their assistants (Acts of Alabama, Regular Session 1957, vol. II, p. 972).

Also:

H. 881. To apply only in counties in the state having a population of not less than 100,000 nor more than 115,000 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

Also:

H. 898. To amend further Section 1 of Act No. 30, S. 99, approved

May 25, 1945, as amended, an act providing for and regulating the compensation of the county superintendent of education of Henry County (Local Acts of Alabama 1945, p. 39).

Also:

H. 932. Providing that in all cities of the State of Alabama now having or hereafter having a population of as many as 100,000 and not more than 200,000 people, according to the 1960 or any succeeding regular decennial Federal Census, the employees of any water works board or other board, public corporation or commission, created or appointed by the governing authority of any such city, who were or are at the time of the creation or appointment of such water works board or other board, public corporation or commission, employees of any such city, or paid in part or in whole, directly or indirectly, from funds contributed or appropriated by any such city, shall continue to be covered and protected by and entitled to the benefits of any pension or retirement system, law or plan, or other benefit plan in effect for employees of any such city at the time of the creation or appointment of any such water works board or other board, public corporation or commission; providing for the contribution and payment by any such water works board or other board, public corporation or commission, of all sums due by or accruing to any of their respective employees under any such pension or retirement system, law or plan, or other benefit plan; providing that any such water works board or other board, public corporation or commission may enter into agreements with any such city for participation by their respective employees employed after the appointment and creation of any such water works board or other board, public corporation or commission, in any pension or retirement system, law or plan, or other benefit plan, now applicable to or for the benefit of the employees of any such city, and as part of any such agreement to provide for contributions or payments to be made by any such water works board or other board, public corporation or commission in connection with the participation by their respective employees in any such pension or retirement system, law or plan, or other benefit plan; and providing that any such water works board or other board, public corporation or commission, may enter into agreements with any such city for participation by their respective employees, whether employed before or after the creation or appointment of any such water works board or other board, public corporation or commission, in any pension or retirement system, law or plan, or other benefit plan, hereafter applicable to or for the benefit of the employees of any such city, and as part of any such agreement to provide for contributions or payments to be made by any such water works board or other board, public corporation or commission in connection with the participation by their said respective employees in any such pension or retirement system, law or plan, or other benefit plan.

Also:

H. 939. To authorize all cities in the State of Alabama having a population exceeding 100,000 and not exceeding 200,000 inhabitants, according to the 1960 or any succeeding regular decennial Federal Census, or which shall hereafter have such population according to any such census that may hereafter be taken, to enact ordinances to establish and maintain a general system of pensions and retirements, including allowances payable on retirement for age or disability, or benefits on separation from service, for the benefit of their regular employees, including regular employees whose compensation is computed and paid on a per diem basis, and the regular employees of any board or commission, with necessary classification and terms of admission; and providing that upon the establishment of any system of pensions and retirements such employees theretofore or there-

after appointed shall be eligible, subject to such exceptions, limitations and restrictions as deemed expedient, to admission to such system; to authorize such ordinances to prescribe the manner in which the system may be conducted and its funds collected and distributed; to authorize such cities enacting such ordinances to establish such board for the administration of the fund as is deemed expedient, and to permit the governing body of the city to serve as such board; to require the participating employees and the city to contribute to the funds of such retirement system and to provide for the fixing of the rates of contribution; to require the board to have prepared annually actuarial valuation of the assets and liabilities of the system and to permit, on the basis of such valuation, increase or decrease in the rates of contribution; to require such pension or retirement system organized under the provisions of this Act to create and maintain reserves, calculated to be adequate to cover the liabilities on account of benefits payable under the ordinances, on the basis of an interest rate not in excess of four per centum per annum, and mortality, disability and other experience tables, or a similar group of employees; to authorize the reserves required in respect of service rendered or benefits granted prior to the date of the organization of such system under the provisions of this Act to be accumulated on a basis calculated to produce a balance between the actuarial present value of the assets and of the liabilities of the system within a period of not exceeding thirty years from the date of establishment of said system; to authorize the organization of a retirement system under this Act to provide for the cessation, limitation or application of any former system of retirement benefits applying to persons eligible to be included in the newly organized system provided that any funds of such former system transferred to the newly organized system shall be applied first to the payment of the benefits on account of which such funds were contributed; to require that the funds of such retirement system organized under the provisions of this Act constitute a trust fund to be used only for the purpose of providing the benefits of such retirement system and shall be held independently of the funds in the treasury of the city; to require that the ordinances provide for trustees, to invest and reinvest the funds of the system and the terms and restrictions in the manner of making such investments; to provide that the property of said system, the portion of wages or salary of an employee deducted or to be deducted, the right of an employee to a benefit, and all his rights in the funds of the system shall be exempt from taxation, attachment, execution or other process to satisfy any debt or liability of any employee of the system and any law relating to bankruptcy or insolvency; to provide that no assignment of any right in said funds or any benefits under the provisions of said ordinances shall be valid; to provide the time of taking effect of this Act.

Also:

H. 956. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 31, Township 16 North, Range 18 East, Montgomery County, Alabama.

And finds same correctly enrolled.

VIRGIS M. ASHWORTH,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length

having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 202. Providing for the relocation of utility facilities when necessitated by Federal-aid highway system projects; providing for the payment of the cost of such relocations by the State as highway construction costs upon Federal participation and Federal funds being actually collected by the State; prescribing the authority of the State Highway Director in regard thereto; providing for the method of paying or reimbursing said utilities; and repealing all conflicting laws.

Also:

H. 239. To fix the supplemental salary of the Circuit Solicitor of the Sixth Judicial Circuit of Alabama; and to create the offices of Deputy Circuit Solicitor No. 1 and Deputy Circuit Solicitor No. 2 of the said Sixth Judicial Circuit and provide for the appointment, duties, and compensation of such offices; and to fix the salary of the stenographic secretary to the Circuit Solicitor of the Sixth Judicial Circuit.

Also:

H. 650. To provide for the relief of Paul Coburn.

Also:

H. 784. To amend further Act No. 258, H. 679, Regular Session 1931, an act providing for the duties, qualifications, tenure, and compensation of the county superintendent of education of Elmore County (Local Acts, Regular Session 1931, p. 117), in relation to the compensation and travel allowance of such officer.

Also:

H. 785. To regulate the compensation and allowances of members of the county board of education of Elmore County.

Also:

H. 901. To amend Act No. 608, H. 700, Regular Session 1951, an act establishing a retirement fund for policemen and firemen of the City of Anniston (Acts of Alabama 1950-1951, vol. II, p. 1045).

Also:

H. 908. To establish a DeKalb County Court for DeKalb County; to define its jurisdiction and powers; To provide for its officers, their powers, duties and compensation; To provide that the said court shall be open at

all times for the trial of cases and transaction of business; Prescribing rules and procedure of said Court; and to provide for the transfer of cases now pending in the DeKalb County Superior Court to the DeKalb County Court; To provide for the repeal of the DeKalb County Superior Court, DeKalb County, Alabama, as created by Act No. 637 Acts, 1957, Legislature, pages 956 to 963 inclusive, as amended; To create a fine and forfeiture fund and to provide for payment of claims, to transfer funds from DeKalb County Superior Court Fine and Forfeiture Fund to DeKalb County Court Fine and Forfeiture Fund; To provide for a Solicitor for the DeKalb County Court, his term of office and election, compensation and duties; To provide for payment of expenses of said Court out of the General Fund of DeKalb County, Alabama.

Also:

H. 914. To repeal Act No. 559, H. 955, approved September 9, 1953, an act relating to statements as to encumbrances upon certain real property in certain counties classified on a population basis (Acts of Alabama 1953, vol. II, p. 797).

Also:

H. 915. To repeal Act No. 233, H. 570, approved July 17, 1951, an act relating to benefit payments of employees of certain cities classified on a population basis (Acts of Alabama 1950-1951, vol. I, p. 502).

Also:

H. 916. To authorize and empower the county governing body in any county of this State, having a population of not less than 100,000 and not more than 135,000, according to the last or any subsequent federal decennial census, to employ one or more probation officers, to work with courts in such counties having jurisdiction of juvenile offenders, and to authorize the payment of the salary and expenses of such probation officer, and to authorize and empower municipalities in such counties to join with such counties in the payment of the salaries and expenses of such probation officer.

Also:

H. 917. Relating to counties having populations of not less than 100,000 nor more than 136,000, according to the last or any subsequent federal decennial census; authorizing any purchaser or encumbrancer of real property situated in any municipality in any such county, or the attorney of such purchaser or encumbrancer, to request in writing from the clerk of the municipality in which the property is located a statement as to whether there is or will be any encumbrance against a particular piece of property because of any public improvement for which an ordinance has been adopted.

Also:

H. 920. To regulate the compensation of the coroner of Houston County and provide for the payment thereof.

Also:

H. 921. To Amend the following Sections of Act No. 103-H. 363, approved June 18th, 1953 (Acts of Alabama 1953, Pages 145-154), which

provides for the establishment of a City of Dothan Pension and Retirement System.

Also:

H. 924. Relating to DeKalb County; to provide for payment of compensation to deputies of the sheriff of DeKalb County who are engaged in enforcing state traffic and motor vehicle laws from the county public highway and traffic fund.

Also:

H. 925. Relating to and providing for the reidentification of voters in DeKalb County; directing the board of registrars to purge the lists of registered voters; and providing a penalty for anyone willfully making a false statement in connection with such reidentification.

Also:

H. 927. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in Sumter County; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Also:

H. 928. To authorize the governing body of any county in this state having a population of not less than 20,000 nor more than 21,000 to provide for the employment of an additional assistant in the office of the judge of probate of the county for a portion of each fiscal year.

Also:

H. 933. Creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 150,000 people and not more than 300,000 people and for municipalities in such counties having a population of 5,000 or more people, all according to the last or any subsequent Federal Census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the Board and for the selection and compensation of its members; providing for the continued service of any board presently serving under any prior Act of the Legislature; providing for the selection, powers, duties and compensation of the personnel director; to require certification of county, municipal, public corporation, board and commission payrolls; making it a misdemeanor to violate the provisions of the Act; repealing all laws or parts of laws inconsistent with the provisions hereof; and providing for an effective date of this Act.

Also:

H. 934. To authorize the Governing body of the County, in all counties having a population of 150,000 and not more than 300,000 according to the federal decennial census of 1960 or any subsequent federal decennial census, to employ an administrative assistant, which person must have obtained the age of 75 years and served 30 consecutive years as a member of the governing body of said County, to prescribe his duties and to fix his compensation.

Also:

H. 935. To repeal Act No. 528, H. 992, approved September 2, 1949, entitled "Creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 100,000 people and not more than 140,000 people and for municipalities in such counties having a population of 5,000 or more people, all according to the last or any subsequent Federal Census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provisions of the act; and repealing all laws or parts of laws inconsistent with the provisions hereof." (Acts of Alabama 1949, page 819.)

Also:

H. 936. To repeal Act No. 311, S. 411, approved July 31, 1951, as amended by Act No. 249, S. 311 approved September 30, 1959, to regulate the office of Sheriff in counties of more than 96,000 population and less than 140,000 population, according to the last Federal census or any subsequent Federal census; to fix the compensation of the Sheriff of said counties and to provide for help and assistants and other expense necessary to the conduct of the office of sheriff; to provide for necessary quarters, books, stationery and other necessities necessary to the operation of said office; to provide that the Sheriff shall pay into the county treasury all costs, charges of the courts, fees and commissions authorized by law to be collected by the Sheriff; to provide that the Board of Revenue, or court of like jurisdiction, shall audit the accounts of said Sheriff for the purpose of requiring a strict compliance with the provisions of this Act; to exempt the Sheriff of such counties from court costs; to exempt the Sheriff from liability for acts of the deputies except in certain cases; to require deputy sheriffs to execute official bonds conditioned, payable and approved as the bonds of Sheriffs, and to provide for the bond for the Sheriff and to provide for the payment of Sheriff's and deputies' bonds out of the county treasury; authorizing the Sheriff to appoint an attorney to advise or represent him, and to fix the compensation of said attorney to be paid out of the general fund of the county by the Board of Revenue or like governing body; and providing when and where this Act shall become effective.

Also:

H. 937. TO regulate the office of Sheriff in counties of more than 150,000 population and less than 300,000 population, according to the last Federal census or any subsequent Federal census; to fix the compensation of the Sheriff of said counties and to provide for help and assistants and other expense necessary to the conduct of the office of Sheriff; to provide for necessary quarters, books, stationery and other necessities necessary to the operation of said office; to provide that the Sheriff shall pay into the county treasury all costs, charges of the courts, fees and commissions authorized by law to be collected by the Sheriff; to provide that the Board of Revenue, or court of like jurisdiction, shall audit the accounts of said Sheriff for the purpose of requiring a strict compliance with the provisions of this Act; to exempt the Sheriff of such counties from court costs; to exempt the Sheriff from liability for acts of the deputies except in certain cases; to require deputy sheriffs to execute official bonds conditioned, payable and approved as the bonds of Sheriffs, and to provide for the bond for the Sheriff and to provide for the payment of Sheriff's and deputies' bonds out of the county treasury; authorizing the Sheriff to appoint an attorney

to advise or represent him, and to fix the compensation of said attorney to be paid out of the general fund of the county by the Board of Revenue or like governing body; and providing when and where this Act shall become effective.

Also:

H. 938. To repeal an act of the legislature entitled "An Act to authorize all cities in the State of Alabama having a population exceeding 78,000 and not exceeding 125,000 inhabitants, according to the 1950 or any succeeding regular decennial Federal census, or which shall hereafter have such population according to any such census that may hereafter be taken, to enact ordinances to establish and maintain a general system of pensions and retirements, including allowances payable on retirement for age or disability, or benefits on separation from service, for the benefit of their regular employees whose salaries are paid on a monthly basis, with necessary classification and terms of admission; and providing that upon the establishment of any system of pensions and retirements such employees theretofore or thereafter appointed shall be eligible, subject to such exceptions, limitations and restrictions as deemed expedient, to admission to such system; to authorize such ordinances to prescribe the manner in which the system may be conducted and its funds collected and distributed; to authorize such cities enacting such ordinances to establish such board for the administration of the fund as is deemed expedient, and to permit the governing body of the city to serve as such board; to require the participating employees and the city to contribute to the funds of such retirement system and to provide for the fixing of the rates of contribution; to require the board to have prepared annually actuarial valuation of the assets and liabilities of the system and to permit on the basis of such valuation increase or decrease in the rates of contribution; to require such pension or retirement system organized under the provisions of this act to create and maintain reserves, calculated to be adequate to cover the liabilities on account of benefits payable under the ordinances, on the basis of an interest rate not in excess of four per centum per annum, and mortality, disability and other experience tables, or a similar group of employees; to authorize the reserves required in respect of service rendered or benefits granted prior to the date of the organization of such system under the provisions of this act to be accumulated on a basis calculated to produce a balance between the actuarial present value of the assets and of the liabilities of the system within a period of not exceeding thirty years from the date of establishment of said system; to authorize the organization of a retirement system under this act to provide for the cessation, limitation or application of any former system or retirement benefits applying to persons eligible to be included in the newly organized system provided that any funds of such former system transferred to the newly organized system shall be applied first to the payment of the benefits on account of which such funds were contributed; to require that the funds of such retirement system organized under the provisions of this act constitute a trust fund to be used only for the purpose of providing the benefits of such retirement system and shall be held independently of the funds in the treasury of the city; to require that the ordinances provide for trustees, to invest and reinvest the funds of the system and the terms and restrictions in the manner of making such investments; to provide that the property of said system, the portion of wages or salary of an employee deducted or to be deducted, the right of an employee to a benefit, and all his rights in the funds of the system shall be exempt from taxation, attachment, execution or other process to satisfy any debt or liability of any employee of the system and any law relating to bankruptcy or insolvency; to provide that no assignment of any right in said funds or any benefits under the provisions

of said ordinances shall be valid; to provide the time of taking effect of this act." (Act number 403, S-504, General Acts of Alabama, 1951, page 725, approved August 15, 1951) and to repeal the amendment thereto, which is an act of the legislature entitled "An act to amend Section 1 of Act No. 403, S. 504, approved August 15, 1951 (Acts of Alabama, 1951, p. 725), which authorizes all cities in the State of Alabama having a population exceeding 78,000 and not exceeding 125,000 inhabitants to enact ordinances to establish and maintain a general system of pensions and retirements for the benefit of their employees." (Act number 235, HB number 667, General Acts of Alabama, 1957, page 295, approved August 13, 1957.)

Also:

H. 945. To provide for payment of salaries of deputy sheriffs from the highway and traffic funds of all counties having populations of not less than 28,000 nor more than 30,550.

Also:

H. 947. To amend Section 8 of the act approved May 24, 1957, creating a Board of Revenue and Control for Houston County (Act No. 9, S. 93, Acts of Alabama, Regular Session 1957, Vol. I, p. 33), in relation to increasing the biddable minimum for competitive bidding on county purchases and contracts.

Also:

H. 950. To repeal the local act approved May 22, 1953 (Act No. 20, H. 82, Acts of 1953, p. 25) entitled "An Act Relating to Marion County; prohibiting the installation of coin operated parking meter devices in any city, town or other incorporated municipality located therein."

Also:

H. 951. To repeal Act No. 369, H. 629, approved July 6, 1943, an act providing for deputy county treasurers in certain counties classified on a population basis (Gen. Acts of Alabama 1943, p. 339).

Also:

H. 952. To repeal Section 42, Title 62, Code of Alabama 1940, relating to the appointment of a deputy county treasurer for Mobile County.

Also:

H. 962. To provide for the collection, preservation, and safekeeping of certain items of historical value in DeKalb County and for this purpose creating and providing for the organization, powers, duties, and authority of the historical commission of DeKalb County and prescribing the qualifications and term of members thereof; to name the first members of the commission and provide for the appointment of their successors; to provide that certain expenses relative to effectuating this act shall be borne by DeKalb County; and to direct the county governing body to perform certain duties.

Also:

H. 966. To alter and re-arrange the boundaries and corporate limits of the City of Athens, Limestone County.

Also:

H. 967. To provide compensation for commissioners of the Selma Housing Authority for performance of certain duties.

Also:

H. 981. To authorize the closing and occupancy by The First National Bank of Mobile, its successors or assigns, in the City of Mobile, Alabama, of the alleyways separating the Old Customs House Building, at the southwest corner of Royal Street and St. Francis Street, on the south from The First National Bank of Mobile Building, and on the west from The First National Bank of Mobile Annex Building, and to vacate a Declaration of Use For Alleyway Purposes executed by the City of Mobile to the Public June 28, 1939, and to vacate and surrender all rights, easements, restrictions or covenants inconsistent with this Act.

Also:

H. 984. To alter and re-arrange the boundaries of the town of Centreville, Bibb County, so as to annex certain territory to the town.

Also:

H. 985. To regulate further teacher tenure and status in the public schools of Perry County, granting the county board of education plenary and exclusive power relative to teacher tenure and status in the County, and repealing as to Perry County inconsistent provisions of Code 1940, Title 52, Chapter 13, as amended or supplemented.

Also:

H. 986. Relating to DeKalb County; providing further for the DeKalb County Commission, providing for the qualifications, elections, terms, powers, duties, authority and compensation of its members; providing for additional duties of the County Commission relating to the requisitioning and purchasing of books, stationery, supplies, printing and printed matter, blanks, forms, machinery, equipment, tools, materials and contractual services needed by such county officials, offices and departments; and fixing the time of meetings of the commission.

Also:

H. 987. To amend Sections No. 2 and No. 7, of Act Number 636, Regular Session of the Legislature of Alabama, approved September 25, 1957. To create an inferior Court, to be known as the DeKalb County Inferior Court of DeKalb County, Alabama with the power of justice of the Peace; to prescribe the jurisdiction, authority, powers and duties of said Court and Officers thereof; To provide rules and procedures of said Court; To provide that the DeKalb County Commission shall provide quarters and supplies for said Court; and to provide for the execution of process and operation of said Court:

Also:

H. 992. To amend further Section VIII of the act approved September 15, 1939, creating and establishing the Personnel Department of Mobile County (Act No. 470, H. 952, Local Acts 1939, p. 298); to provide for the qualifications, salary and duties of the Personnel Director, to provide for

the retirement of the Personnel Director and to prescribe the terms and conditions of such retirement.

Also:

H. 993. To amend Section 3 of Act No. 34, H. 225, Special Session 1932, approved September 24, 1932 (Local Acts, Extra Session 1932, p. 13), an act to provide for the election of a county superintendent of education by the qualified electors of Clarke County, in relation to the qualifications of the county superintendent of education.

Also:

H. 994. To repeal Act No. 396, S. 550, approved August 16, 1949, entitled "To provide for the proportion of contribution by counties and incorporated municipalities therein to the budget of a county health department in all counties in this State having a population exceeding 100,000, and not exceeding 140,000 inhabitants, according to the latest Federal Census, or which shall hereafter have such population, according to any such census that may hereafter be taken." (Acts of Alabama 1949, page 567.)

Also:

H. 995. To provide for the proportion of contribution by counties and incorporated municipalities therein to the budget of a county health department in all counties in this State having a population exceeding 150,000 and not exceeding 300,000 inhabitants, according to the latest Federal Census, or which shall hereafter have such population, according to any such census that may hereafter be taken.

Also:

H. 996. To alter or rearrange the boundary lines of the Town of Faunsdale, Marengo County, Alabama so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory contiguous thereto, in Marengo County, Alabama.

Also:

H. 1002. For the relief of John Morris, Huntsville, of Madison County; authorizing the board of county commissioners, board of revenue, or other like governing body of Madison County to make an appropriation of county funds to compensate John Morris for certain damages.

Also:

H. 1003. To amend Act No. 401, H. 838, Regular Session 1949, an act authorizing the board of registrars of Madison County to employ a full time clerk (Acts of Alabama, Regular Session 1949, p. 573).

Also:

H. 1004. For the relief of J. Wheeler Vann, Rt. 4, Huntsville, of Madison County; authorizing the board of county commissioners, board of revenue, or other like governing body of Madison County to make an appropriation of county funds to compensate J. Wheeler Vann for certain damages.

Also:

H. 1005. For the relief of Robert Mathias, 2000 Stamford Drive, Huntsville, of Madison County; authorizing the board of county commissioners board of revenue, or other like governing body of Madison County to make an appropriation of county funds to compensate Robert Mathias for certain damages.

Also:

H. 659. Proposing an amendment to the Constitution of Alabama relative to DeKalb County.

Also:

H. 940. To propose an amendment to the Constitution relative to the levy and collection of a special property tax for educational purposes in the city of Tuscumbia.

Also:

H. 941. To propose an amendment to the Constitution relative to the levy and collection of a special property tax for educational purposes in the city of Sheffield.

Also:

H. 942. To propose an amendment to the Constitution of Alabama relating to Madison County and the City of Huntsville; authorizing each of them to purchase, construct, lease and otherwise acquire industrial, commercial and agricultural projects, to lease, sell, exchange and otherwise convey all or any part of any such project and, after an approving bond election, to issue its interest-bearing general obligation bonds thereof; to specify the details respecting such bond elections; to limit the amount of bonds that said county and said city may have outstanding under the authority of said amendment; to require, as a condition precedent to the issuance of any such bonds, a lease or other similar agreement providing for the payment to the issuer of such bonds of rentals sufficient to pay the debt service on such bonds; to require the pledge of such rentals for such bonds and to authorize other security for such bonds; to authorize the said county or said city, as the case may be, if such action is necessary to prevent or cure a default on bonds issued by said county or city, to levy ad valorem taxes, without limit as to rate or amount and in addition to all other taxes then authorized, on the assessed value of all taxable property therein; to provide that in carrying out the purposes of said amendment neither said county nor said city shall be subject to the provisions of Section 93 of the Constitution of Alabama; and to provide that said amendment shall be self-executing but that the legislature shall have the power to enact supplemental general, special or local legislation notwithstanding any contrary provisions of Section 104 of the Constitution of Alabama.

Also:

H. 944. Proposing an amendment to the Constitution of Alabama relating to the compensation of certain officers of Elmore County.

Also:

H. 954. Proposing an amendment to the Constitution of Alabama relative to promotion of economic development of St. Clair County.

And finds same correctly enrolled.

VIRGIS M. ASHWORTH,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Caffey:

S. 374. To repeal Act No. 456, H. 836, approved July 6, 1943, entitled "To require all county officers on a salary basis in counties having a population of one hundred and forty thousand (140,000), or more according to the last or any subsequent Federal census to pay into the county treasury all fees, cost, commissions, and perquisite derived from said offices or monies charged, or collected by them by reason of any official act or for the performance of any service connected directly or indirectly with said offices and to prescribe that the salary fixed by law shall be the sole and only compensation received by such officers for the performance of the duties of their office or any act or service charged for by them growing out of the performance of their official duties." (Acts of Alabama 1943, page 418.)

Also:

By Mr. Caffey:

S. 375. To require all county officers on a salary basis in counties having a population of three hundred thousand (300,000), or more, according to the last or any subsequent Federal census to pay into the county treasury all fees, cost, commissions, and perquisite derived from said offices or monies charged, or collected by them by reason of any official act or for the performance of any service connected directly or indirectly with said offices and to prescribe that the salary fixed by law shall be the sole and only compensation received by such officers for the performance of the duties of their office or any act or service charged for by them growing out of the performance of their official duties.

Also:

By Mr. Caffey:

S. 379. To repeal Act No. 498, H. 328, approved July 6, 1945, entitled "To require all county officers on a salary basis in counties having a population of one hundred forty thousand (140,000), or more, according to the last or any subsequent Federal census to pay into the county treasury all fees, cost, commissions and perquisite derived from said offices or monies charged, or collected by them by reason of any official act or for the performance of any service connected directly or indirectly with said offices and to prescribe that the salary fixed by law shall be the sole and only compensation received by such officers for the performance of the duties of their office or any act or service charged for them growing out

of the performance of their official duties." (Acts of Alabama 1945, page 725).

Also:

By Mr. Caffey:

S. 380. To require all county officers on a salary basis in counties having a population of three hundred thousand (300,000), or more, according to the last or any subsequent Federal census to pay into the county treasury all fees, cost, commissions, and perquisite derived from said offices or monies charged or collected by them by reason of any official act or for the performance of any service connected directly or indirectly with said offices and to prescribe that the salary fixed by law shall be the sole and only compensation received by such officers for the performance of the duties of their office or any act or service charged for them growing out of the performance of their official duties.

Also:

By Mr. Caffey:

S. 383. To repeal Act No. 281, H. 559, approved August 11, 1947, entitled "To confer on the Probate Courts in all counties of this State, which now have or may hereafter have a population of over 140,000 and less than 400,000, according to the last or any subsequent Federal census, general equity jurisdiction, concurrent with that of the Circuit Courts in Equity, of this State in the administration of the estates of deceased persons, minors and insane persons, including testamentary trust estates; and to confer on the judges of such Probate Courts the same powers and authority which Judges and Registers of the Circuit Courts of this State now have in connection with the administration of such estates in the Circuit Courts, in Equity; to provide for the pleading, practice and procedure in such matters, and for the enforcement of judgments and decrees and for appeals to the Supreme Court from the orders, judgments and decrees of such courts; and to provide for the compensation of the judges of such courts, including the assessment and collection of fees, commissions and cost of court for the performance of the duties authorized by this act. (Acts of Alabama 1947, page 140).

Also:

By Mr. Caffey:

S. 389. To repeal Act No. 429, H. 659, approved September 25, 1947, entitled "To require the tax assessor of counties having a population of not less than 140,000 and not more than 400,000 inhabitants as shown by the last or any succeeding federal census, in addition to such duties as are now required of him by law, to act in an advisory capacity to the county board of equalization, and to investigate complaints as to assessments and make reports thereon to said board, and to provide for additional compensation of the tax assessor of such counties on account of such extra duties." (Acts of Alabama 1947, page 311.)

Also:

By Mr. Caffey:

S. 406. To repeal an Act entitled "Relating to cities having a population of not less than 125,000 nor more than 250,000, according to the last or any subsequent federal decennial census; fixing the compensation of the

members of the city commission, council, or like governing body of any such city" approved September 6, 1957.

Also:

By Mr. Caffey:

S. 405. Relating to cities having a population of not less than 175,000 nor more than 250,000, according to the last or any subsequent federal decennial census; fixing the compensation of the members of the city commission, council, or like governing body of any such city.

Also:

By Mr. Caffey:

S. 404. To propose an Amendment to the Constitution of Alabama relating to the levy and collection of special property taxes for public school capital outlay purposes in the County of Mobile, in the State of Alabama.

Also:

By Mr. Berryman:

S. 410. Proposing an amendment to the Constitution of Alabama relating to industrial development of Lawrence County and municipalities therein.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 374. Local Legislation No. 1.

S. 375. Local Legislation No. 1.

S. 379. Local Legislation No. 1.

S. 380. Local Legislation No. 1.

S. 383. Local Legislation No. 1.

S. 389. Local Legislation No. 1.

S. 406. Local Legislation No. 1.

S. 405. Local Legislation No. 1.

S. 404. Was read a first time at length as required by the Constitution, and referred to the Standing Committee on Local Legislation No. 1.

S. 410. Was read a first time at length as required by the Constitution, and referred to the Standing Committee on Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Jones:

S. 503. Proposing an Amendment to the Constitution of Alabama to authorize a hospital tax in Districts Three and Four of Tallapoosa County and the financing of hospitals and health facilities with bonds, warrants or certificates of indebtedness issued in anticipation of the collection of such tax.

Also:

By Mr. Givhan:

S. 498. To provide that in all counties having populations of not less than 55,000 nor more than 60,000 inhabitants according to the 1960 Federal Decennial Census or any subsequent Federal Decennial Census of the United States, the governing body of the county may transfer to the sheriff any supervision and control it has over county convicts.

Also:

By Mr. Barnett:

S. 506. To repeal Act No. 89, H-161, approved April 14, 1956, Page 385, Acts of Alabama, Special Sessions 1956, entitled "An Act relating to rivers, streams and public impounded waters of any county having a population of not less than thirty-one thousand nor more than thirty-five thousand according to the last or any subsequent federal decennial census: To authorize the director of conservation to zone such waters and designate the zones or areas thereof in which speed boats may be used or operated and the zones or areas for fishing, to prescribe safety rules and special rules and regulations governing the use and operation of boats and governing fishing in such waters, and to employ a safety patrolman to enforce such rules and regulations; to prescribe the duties of such safety patrolman; and to prescribe his salary."

Also:

By Mr. Shelton:

S. 497. To authorize the City of Anniston, Alabama, to sell to Alabama Society for Crippled Children & Adults, a corporation, for its reasonable market value the following described real property, to-wit:

Beginning at the Northeast corner of the intersection of Walnut Avenue with Thirteenth Street in the City of Anniston, Alabama; thence North along the East boundary line of Walnut Avenue a distance of 100 feet to a point; thence East and parallel with the North boundary line of Thirteenth Street a distance of 50 feet to a point; thence South and parallel with the East boundary line of Walnut Avenue a distance of 40 feet to a point; thence East and parallel with the North boundary line of Thirteenth Street

to a point on the West boundary line of Moore Avenue; thence South along the West boundary line of Moore Avenue a distance of 60 feet to its point of intersection with the North boundary line of Thirteenth Street; thence West along the North boundary line of Thirteenth Street a distance of 150 feet to the point of beginning, said property being situated in the City of Anniston, Calhoun County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

NOTICE is hereby given pursuant to Section 106 of the Constitution of Alabama of 1901 that application will be made to the Legislature of Alabama (Regular Session of 1961) for the enactment of a local law, the substance of which is as follows:

A BILL TO BE ENTITLED AN ACT

To authorize the City of Anniston, Alabama, to sell to Alabama Society for Crippled Children & Adults, a Corporation, for its reasonable market value the following described real property, to-wit:

Beginning at the northeast corner of the intersection of Walnut Avenue with Thirteenth Street in the City of Anniston, Alabama; thence north along the east boundary line of Walnut Avenue a distance of 100 feet to a point; thence east and parallel with the north boundary line of Thirteenth Street a distance of 50 feet to a point; thence south and parallel with the east boundary line of Walnut Avenue a distance of 40 feet to a point; thence east and parallel with the north boundary line of Thirteenth Street to a point on the west boundary line of Moore Avenue; thence south along the west boundary line of Moore Avenue a distance of 60 feet to its point of intersection with the north boundary line of Thirteenth Street; thence west along the north boundary line of Thirteenth Street a distance of 150 feet to the point of beginning, said property being situated in the City of Anniston, Calhoun County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The City of Anniston, Alabama, is hereby authorized and empowered, at the discretion of the Board of Commissioners of said City, to sell to the Alabama Society for Crippled Children & Adults, a corporation, for its reasonable market value the following described property situated in the City of Anniston, Alabama, to-wit:

Beginning at the northeast corner of the intersection of Walnut Avenue with Thirteenth Street in the City of Anniston, Alabama; thence north along the east boundary line of Walnut Avenue a distance of 100 feet to a point; thence east and parallel with the north boundary line of Thirteenth Street a distance of 50 feet to a point; thence south and parallel with the east boundary line of Walnut Avenue a distance of 40 feet to a point; thence east and parallel with the north boundary line of Thirteenth Street to a point on the west boundary line of Moore Avenue; thence south along the west boundary line of Moore Avenue a distance of 60 feet to its point of intersection with the north boundary line of Thirteenth Street; thence west

along the north boundary line of Thirteenth Street a distance of 150 feet to the point of beginning, said property being situated in the City of Anniston, Calhoun County, Alabama.

Section 2. In the event of the said Alabama Society for Crippled Children & Adults ceases using the building located on the above described property for a vocational rehabilitation workshop, then title to the hereinabove described property is to revert to the City of Anniston, Alabama.

Section 3. This Act shall take effect upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

Personally appeared before me Ralph W. Callahan, who being duly sworn, makes oath that he is General Manager of The Anniston Star, a daily newspaper published in Anniston, Alabama, and that the attached notice was published on the following dates: June 3, 10, 17, 24, 1961.

RALPH W. CALLAHAN.

Sworn to and subscribed before me this 28 day of June 1961.

LOLA J. BRIGHT,
Notary Public.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 503. Was read a first time at length as required by the Constitution, and referred to the Standing Committee on Local Legislation No. 1.

S. 498. Local Legislation No. 1.

S. 506. Local Legislation No. 1.

S. 497. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Robison:

S. 453. To amend Section 339 of Title 62, Code of Alabama 1940, as amended, relating to the judges of the Fifteenth Judicial Circuit of Alabama (Montgomery County).

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 339 of Title 62, Code of Alabama 1940, as amended, relating to the judges of the Fifteenth Judicial Circuit of Alabama (Montgomery County).

Be It Enacted by the Legislature of Alabama:

Section 1. Section 339 of Title 62, Code of Alabama 1940, as amended is hereby amended to read as follows:

"Section 339. The Judges shall be numbered First, Second and Third, so that each judgeship shall be designated by a number, the Third Judge being the Judge of the Domestic Relations Division of the Circuit Court of Montgomery County as defined and created by Act No. 250, Section 312, approved September 30, 1959. The Judges shall be so designated on the ballots used in the primary and general elections. The Judge having the longest term of service as Judge of the Fifteenth Judicial Circuit shall be the presiding judge of the Circuit."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law."

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MONTGOMERY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Inez Woodson, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Bookkeeper of the The Montgomery Advertiser, a newspaper of general circulation published in Montgomery County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 13, 20, 27, July 4, 1961, all in the year 1961.

INEZ WOODSON.

Sworn to and subscribed before me 5 day of July, 1961.

T. A. HARDY,
Title Notary Public Montgomery County Ala.

Also:

By Mr. Moses:

S. 457. Relating to the municipality of Brilliant, in Marion County, Alabama: To alter, re-arrange, and extend the boundaries and corporate limits of the Town of Brilliant, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MARION

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to the municipality of Brilliant, in Marion County, Alabama: To alter, re-arrange, and extend the boundaries and corporate limits of the Town of Brilliant, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the municipality of Brilliant, in Marion County, Alabama, are hereby altered, re-arranged and extended to include within, the corporate limits of said Town of Brilliant, Alabama, the following described territory, situated in Marion County, Alabama, to-wit:

Beginning at a point where the easterly right of way line of State Road 129 (Brilliant-White House Road) crosses the north town limits of Brilliant; thence in a northerly direction and following along the said easterly right of way line of State Road 129 to a point where the said easterly right of way line intersects southerly right of way line of County Road 24 (Brilliant-Gum Springs Church Road); thence easterly along the said southerly right of way line of County Road 24 to a point where the said right of way line intersects the west line of the NE $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 7, Township 12 South, Range 11 West; thence south along the west line of said forty to the southwest corner; thence east along the south line to the southeast corner; thence north along the east line to the northeast corner; thence west along the north line to the northwest corner, thence south along the east line to a point where the west line of said forty intersects the northerly right of way line of County Road 24; thence westerly along the northerly right of way line of said County Road to a point where the northerly right of way line intersects the westerly right of way line of State Road 129; thence southerly along the westerly right of way line of State Road 129 to the north town limits of Brilliant; thence east along the town limits of Brilliant to the easterly right of way line of State Road 129 and the point of beginning. The above described land is situated in Sections 1, 7, and 12, Township 12 South, Range 11 West and Range 12, West, Marion County, Alabama.

Section 2. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared Oscar Roden, who being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Marion County News Journal a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said Newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 1st, June 8th, June 15th, and June 22nd, all in the year 1961.

OSCAR RODEN.

Sworn to and subscribed before me July 10, 1961.

BESSIE D. GRAY,
Title Notary Public.

Also:

By Mr. Clark:

S. 459. To create and establish in the eastern division of Barbour County (Beats 1, 2, 4, 5, 11, 14 and 16 of Barbour County) an inferior court of limited jurisdiction of criminal cases and civil actions at law, to be known as the Court of Common Pleas of Barbour County, in lieu of the Inferior Court for Precinct Five of such county; providing for the officers of such court and for their term, powers, duties, compensation and method of selection; prescribing the jurisdiction of the court, regulating its procedure and process; fixing the costs, charges and commissions collectible in the court; and providing for the transfer of all cases pending in the Inferior Court for Precinct Five of Barbour County to the court hereby established.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF BARBOUR

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made to-wit:

A BILL
TO BE ENTITLED
AN ACT

To create and establish in the eastern division of Barbour County (Beats 1, 2, 4, 5, 11, 14 and 16 of Barbour County) an inferior court of

limited jurisdiction of criminal cases and civil actions at law to be known as the Court of Common Pleas of Barbour County, in lieu of the Inferior Court for Precinct Five of such county; providing for the officers of such court and for their term, powers, duties, compensation and method of selection; prescribing the jurisdiction of the court regulating its procedure and process; fixing the costs, charges and commissions collectible in the court; and providing for the transfer of all cases pending in the Inferior Court for Precinct Five of Barbour County to the court hereby established.

Be It Enacted by the Legislature of Alabama:

Section 1. A court of limited jurisdiction in criminal cases and civil actions at law, which shall be known as the Court of Common Pleas of Barbour County, is hereby created and established for Beats 1, 2, 4, 5, 11, 14 and 16 of said county, which said beats comprise the eastern division of said county as it was divided by Act No. 106) approved February 12, 1879 (Acts of Alabama, 1878-79, page 106), for the purpose of designating the place of trial of cases in the circuit court of such county. The court hereby created shall be in lieu of the Inferior Court for Precinct Five of Barbour County which is hereby abolished.

Section 2. (a) Except as provided in subsection (b) of this section, the court shall have and exercise jurisdiction of all actions, causes, matters, proceedings and cases (including bastardy proceedings actions for unlawful detainer and for the recovery of possessions of land, except actions in ejectment or actions in the nature of actions in ejectment), cognizable before justices of the peace or courts created in lieu thereof. The court shall have authority to punish contempts by fine not exceeding twenty-five dollars and imprisonment for not more than twenty-four hours. It may adopt and enforce rules and regulations relative to pleading, practice, and procedure provided that such rules and regulations are not contrary to the Constitution and laws of Alabama and law-made rules governing practice and procedure in circuit courts, inferior courts, or justice of the peace courts or courts created in lieu thereof.

(b) The court shall not have the power to try persons charged with felonies, nor shall the court have jurisdiction of actions for libel or slander. It shall not have jurisdiction of any civil action when the amount in controversy exceeds one hundred dollars, nor take cognizance of any matter or proceeding in equity.

Section 3. (a) A judge of the court herein created shall be elected by the qualified electors of the eastern division of Barbour County that is the qualified electors of Beats 1, 2, 4, 5, 11, 14, and 16 of Barbour County at the general election of 1962 and every six years thereafter. His term of office shall be for six years from the first Monday after the second Tuesday of January next succeeding his election and until his successor is elected and qualified.

(b) The judge serving as judge of the Inferior Court of Precinct Five of Barbour County shall serve as judge of the court hereby established until his successor has been elected and is qualified under this Act.

(c) The judge shall, before entering upon the discharge of the duties of his office take the oath prescribed by Section 279 of the Constitution. He may be removed from office for any cause enumerated in Section 173 of the Constitution in the manner provided by the law. No person shall be

eligible to the office of the judge unless he is at the time of his appointment or election a qualified elector of Barbour County residing within the territorial jurisdiction of the court. Vacancies in the office of judge shall be filled by appointment by the Governor, and such appointee shall hold office for the unexpired term and until his successor is elected and qualified.

Before entering upon the duties of his office, the judge shall give bond in such penal sum as may be prescribed by the governing body of Barbour County payable to the county and conditioned upon the faithful performance of the duties of his office. The bond shall be approved by and filed in the office of the probate judge of Barbour County. The premiums on the bond shall be paid out of the county treasury.

(d) The judge shall receive an annual salary of eighteen hundred dollars (\$1,800), payable out of the general fund of the county in equal monthly installments.

(e) The judge shall have authority to: (1) administer oaths and take acknowledgements; (2) issue search warrants; (3) solemnize marriages; (4) exercise such other powers, jurisdiction, or authority as may be conferred by law upon justices of the peace, including that of magistrates on preliminary examinations, or courts created in lieu of justices of the peace.

Section 4. In the event the judge of the court hereby created is for any reason disqualified from acting or is absent for any cause the parties to the cause or the judge of the circuit court of the circuit in which Barbour County is situated may appoint a suitable person to act as judge of this court in such cause or during the absence of said judge.

Section 5. The clerk of the circuit court of Barbour County shall be ex-officio clerk of the court hereby established. The fees and compensation of said clerk for the performance of his duties as clerk of this court shall be the same as is now allowed by law to clerks of the circuit courts, and shall be paid in like manner. The clerk shall, before entering upon the performance of his duties as clerk of this court, give bond as required by law.

Section 6. The terms of the court hereby established shall be attended by the sheriff of the county or his deputies or in their absence some suitable person shall be appointed by the court to act in their stead, whose compensation shall be two dollars (\$2.00) a day to be paid out of the county treasury.

Section 7. The court shall be held, and the office of the judge shall be kept in the City of Eufaula. Regular terms of said court shall be held on the first and third Mondays in each month and the court may continue in session until the business of the court is disposed of; provided, however, the judge may call a special term of said court whenever in his judgment it is deemed best.

Section 8. All prosecutions instituted in the court hereby established shall be begun upon affidavit and warrant, and shall be tried by the judge without a jury. The judge shall determine both the law and the facts and in cases of conviction the defendant shall have the right to appeal to the circuit court, where the trial will be de novo, and a jury trial may there be had, on demand of the defendant, as prescribed by law.

Section 9. A party aggrieved or desiring to bring a charge of misdemeanor before the court hereby created may apply to the judge or the clerk thereof for a warrant of arrest; and, upon the making of affidavit in writing that he has probable cause for believing, and does believe that an offense has been committed in said county, the judge or the clerk of said court shall examine the affiant under oath, and other witnesses if he so desires, touching the offense charged in the affidavit, and if the judge or the clerk has probable cause for believing that the offense alleged in the affidavit has been committed, he shall issue his warrant of arrest. The form of the warrant of arrest shall be as prescribed by Section 328, Title 13 Code of Alabama 1940. The sheriff or any constable of the county may execute the warrant and bring the defendant before the court, and may also summons the witnesses and serve all other process.

Section 10. The proceedings in the court hereby created shall be governed by the same regulations and be subject to the same limitations as proceedings in justice of the peace courts in accordance with the general laws of this state relating to such justice courts.

Section 11, (a) For their attendance upon the court witnesses shall be entitled to the same fees and allowances prescribed by law for witnesses in courts of justices of the peace, which fees and allowances shall be taxed, collected and paid in the same manner as such fees and allowances are taxed and paid in justice courts.

(b) In addition to fees for witnesses the court shall have authority to tax costs and commissions for the use of officers of the county as follows: (1) in each civil action at law the same as in justice courts; (2) in each criminal case the same as in justice courts.

Section 12. The Inferior Court for Precinct Five of Barbour County, created by Act No. 84, H. 403, approved February 26, 1903 (Local Acts of 1903 page 103) is hereby abolished, and all cases and actions pending therein on the effective date of this Act shall be transferred to the court herein created and shall proceed as though begun therein. As to judgments rendered by the abolished court, the new court shall have the same power of control that the abolished court had, and may issue executions and other processes thereon in all respects as though the judgments had been rendered by the court herein established.

Section 13. All laws or parts of laws in conflict with this Act are hereby repealed.

Section 14. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 15. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BARBOUR

Before me, Mrs. J. M. Smith, a Notary Public in and for said State and County, personally appeared Joel P. Smith, who being sworn, deposes

and says on oath, that he is the Publisher of THE EUFAULA TRIBUNE, a newspaper published semi-weekly, in the City of Eufaula, Barbour County, Alabama, and that the foregoing attached notice Local Bill to establish inferior court was published in said newspaper four times, the same appearing in the issues dated: June 13, 20, 27, July 6, 1961.

JOEL P. SMITH.

Sworn to and subscribed before me this the 10th day of July, 1961.

MRS. J. M. SMITH,
Notary Public, Barbour Co., Ala.

Also:

By Mr. Clark:

S. 458. To provide for the relief of Charlie Day; authorizing an appropriation from the funds of Barbour County for such purpose.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF BARBOUR

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To provide for the relief of Charlie Day; authorizing an appropriation from the funds of Barbour County for such purpose.

PREAMBLE

On or about January 5, 1960, a truck owned by Barbour County and operated by an employee of the county ran off the road and into an automobile owned by Charlie Day, R.F.D., Eufaula, Alabama and parked in his yard thereby causing damage to the automobile, and

Whereas, on or about February 2, 1960, the Board of Revenue of Barbour County investigated this accident and determined that due to the facts and circumstances surrounding it, the county of Barbour was morally obligated to pay for such damages, but was not authorized by law to do so; now therefore

Be It Enacted by the Legislature of Alabama:

Section 1. The Board of Revenue, or other like governing body of Barbour County may appropriate out of the unpledged public funds of the

county the sum of \$870.61 to compensate the said Charlie Day for his damages; and when such appropriation is duly made, the officer charged by law with the duty of drawing warrants on the public funds of Barbour County shall draw his warrant in favor of Charlie Day in the amount of \$870.61.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF BARBOUR

Before me, Mrs. J. M. Smith, a Notary Public in and for said State and County, personally appeared Joel P. Smith, who being sworn, deposes and says on oath, that he is the Publisher of THE EUFAULA TRIBUNE, a newspaper published semi-weekly, in the City of Eufaula, Barbour County, Alabama, and that the foregoing attached notice Local Bill — regarding Charlie Day was published in said newspaper four times, the same appearing in the issues dated: June 13, 20, 27, July 6, 1961.

JOEL P. SMITH.

Sworn to and subscribed before me this the 10th day of July, 1961.

MRS. J. M. SMITH,
Notary Public, Barbour Co., Ala.

Also:

By Mr. Graham:

S. 447. To establish for Chilton County, Alabama a Law and Equity Court; to define its jurisdiction and power, to provide for its officers and appointment, election, terms of office, powers, duties and compensation; to provide for a Court Reporter for said Court and fix and prescribe his duties, compensation and to provide for the payment of his salary; to provide that said Court shall be open at all times for the trial of causes and the transaction of business; to provide the rules and procedures of said Court, to provide a fine and forfeiture fund of said Court; to provide for the transfer of certain causes now or hereafter pending in the Circuit Court, County Court, Probate Court and the Juvenile Court of Chilton County, Alabama and to give said court Juvenile and Domestic Relations jurisdiction; and to abolish the County Court of Chilton County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF CHILTON

(EDITOR'S NOTE: Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and an application for its passage and enactment will be made, to wit:)

AN ACT

To Establish for Chilton County, Alabama a Law and Equity Court; to define its jurisdiction and power to provide for its officers and appointment, election, terms of office, powers, duties and compensation; to provide for a Court Reporter for said Court and fix and prescribe his duties, compensation and to provide for the payment of his salary; to provide that said Court shall be open at all times for the trial of causes and the transaction of business; to provide the rules and procedures of said Court; to provide a fine and forfeiture fund of said Court; to provide for the transfer of certain causes now or hereafter pending in the Circuit Court, County Court, Probate Court and the Juvenile Court of Chilton County, Alabama and to give said court Juvenile and Domestic Relations jurisdiction; and to abolish the County Court of Chilton County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That there be and hereby is created and established, in and for Chilton County, Alabama a Law and Equity Court which shall be called "Chilton County Law and Equity Court," and which shall be a court of record and which shall have and exercise concurrent jurisdiction, authority, functions and powers now conferred or may be hereafter conferred upon the several Circuit Courts of the State of Alabama, provided however that the Chilton County Law and Equity Court shall not have final jurisdiction to try persons indicted and charged with felonies, nor organize and impanel a Grand Jury, nor have civil jurisdiction on the law side of said court of causes over \$1,000.00, exclusive of interest and costs; and cost; and with no right to a Jury trial, except in equity cases, or other causes, where a jury trial is a matter of right. Said Chilton County Law and Equity Court shall have concurrent jurisdiction with the Justices of the Peace in Chilton County, Alabama in all matters whatsoever, including preliminary hearings of persons charged with a felony.

Section 2. That the Honorable J. B. Atkinson, who was elected to the office of the Judge of the County Court of Chilton County, Alabama, and who is now serving as Judge of said County Court of Chilton County, Alabama, shall hold the office and be the Judge of the Chilton County Law and Equity Court created by this Act, until the second Tuesday after the First Monday in January, 1965 and until his successor shall be elected and qualified. A Judge of said Chilton County Law and Equity Court shall be elected by the qualified electors of Chilton County, Alabama, at the general election to be held in 1964 and each four years thereafter and shall commence on the second Tuesday after the first Monday in January, following his election and shall continue for a period of four years and until his successor shall be elected and qualified. The Judge of said Court, before entering upon the duties of said office, shall take the oath required by law to be taken by Judges of the Circuit Court of Alabama. That said Judge shall be a qualified elector of Chilton County, Alabama and shall be learned in the law and shall be a member of the Alabama Bar in good standing and shall be not less than 25 years of age. Said Judge shall devote his entire time to the duties of his office and shall be barred from the practice of law during the term of his office. Said Judge may be removed from office in the same manner and for the causes now provided by law for the removal of Circuit Judges.

Section 3. Vacancies in the office of the Judge of said Court shall be filled by appointment by the Governor, and the person so appointed shall hold office as required by the Constitution and law of this State.

Section 4. That the Clerk of the Circuit Court of Chilton County, Alabama, shall be Ex-Officio Clerk of the Chilton County Law and Equity Court and shall have the same powers and discharge the same duties as clerks of the Circuit Courts, and shall be subject to the same pains and penalties with regard to the duties of the office and shall be entitled to the same fees, commissions and emoluments as are now, or as may hereafter be, allowed to Circuit Court Clerks who are Ex-officio Clerks of County Court or Law and Equity Courts as provided by Title II, Section 89 (2) of the 1940 Code, as amended, except as hereinafter provided, and the same shall be collected as such fees and commissions are collected in the Circuit Courts; except that in civil matters where suit is brought for \$100.00 or less only the fees and commissions allowed by law to Justices of the Peace shall be collected; and said clerk shall exercise the same powers and perform the same duties, as are exercised and performed in the Circuit Court. The Register of the Circuit Court in Equity shall be Ex-Officio Register of the Chilton County Law and Equity Court shall have the powers and discharge the duties which shall devolve upon the Register of the Chilton County Law and Equity Court and shall be subject to the same pains and penalties with regard to the duties of the office and shall be entitled to the same fees and commissions as are now, or as may hereafter be, allowed to the Register of Circuit Courts in Equity and the same shall be collected as such fees are collected in Circuit Courts.

Section 5. That the Judge of said Chilton County Law and Equity Court shall receive a salary of \$6,000.00 per annum payable in equal monthly installments out of the county treasury at the end of each month, his signed receipt being required.

Section 6. That Honorable Lawrence F. Gerald, Deputy Solicitor of Chilton County, Alabama, who was elected to said office at the general election held in 1958, shall be the Solicitor of the Chilton County Law and Equity Court during the term of office for which he was elected at said election, and thereafter the duly elected Deputy Solicitor of Chilton County Law and Equity Court and all solicitor's fees taxed and collected in said Court shall be paid into the county treasury of Chilton County, Alabama, for the benefit of the general fund of said county, or such other fund or funds as may hereafter be provided.

It shall be the duty of said Solicitor to prosecute all criminal causes pending in said Court, and to assist the Judge of the Court in the handling of Juvenile cases, upon the request of the Judge or the Department of Pensions and Security and for the extra duties required of the Deputy Solicitor he shall be paid \$100.00 per month, in addition to the salary now paid him and it shall be the duty of the Board of Revenue and Control of Chilton County, Alabama to pay said extra compensation to the Deputy Solicitor at the end of each month, taking his receipt for the same.

Section 7. That the said Chilton County Law and Equity Court shall be held at the courthouse of Chilton County, Alabama, and that said court shall be open at all times for the trial of cases and transaction of business. In case of sickness or disqualification of the Judge of said Court, the law applicable to the appointment and service of special Judges in the Circuit Court shall apply, and the special Circuit Judges receive for their services and the same to be paid out of the general funds of Chilton County, Alabama, on the certificate of the Clerk or the Register making the appointment. The Judge of said Court shall be subject to the same penalties for failure to attend upon the Court as are Circuit Judges of this State. The Judge of said Court shall keep an office in the courthouse of Chilton

County, Alabama, or at such other suitable place as may be provided by the Board of Revenue and Control of Chilton County, Alabama, and it shall be the duty of the Board of Revenue and Control of Chilton County, Alabama, to provide such office and to supply the same with all furnishings, fixtures, library, stationery, telephone and other supplies necessary to enable the Judge of said Court to efficiently conduct the affairs of his office.

Section 8. A session of said Court for the trial of criminal cases shall be held on the first Monday of each month and at such times as the Judge of Said Court may order. A session of said Court for the trial of civil cases shall be held on the second Monday in January, April, July and October of each year. A session of said Court for the trial of Equity cases shall be held on the fourth Monday in January, April, July and October of each year. The Judge of said court may call a special session for the trial of any cases pending on the dockets of said Court, as is provided or may hereafter be provided by law for the calling of special sessions for the trial of causes in the Circuit Court.

Section 9. Any Party feeling aggrieved from the judgment of said Court rendered in any civil cause, may appeal from said judgment to the Circuit Court of Chilton County, Alabama, by giving security for the costs, the same to be approved by the Clerk or Judge of said Chilton Co. Law and Equity Court or if the party desiring to appeal, wishes to supersede the judgment of said court then he may give the security for the cost, and a supersedeas bond in double the amount of the judgment, to be approved by the judge or clerk of said court. All appeals from judgments in civil causes in said court shall be taken to the Circuit Court within thirty days after the rendition of the judgment, and all appeals taken from said court shall be tried de novo in the Circuit Court in any case appealed from said court to the Circuit Court. The appellant, within ten days after the perfection of his appeal and the appellee, within ten days after notice of appeal is served on him, may have the issues of fact tried by jury in the Circuit Court by filing with the Circuit Court a written demand for a trial of said cause by a jury.

Section 10. In all criminal cases of conviction in said Chilton County Law and Equity Court the defendant shall have the right of appeal to the Circuit Court of Chilton County, on entering into bond, with sufficient surety, to appear at the term of the Court to which the appeal is taken, and from term to term until discharged; the bond to be in such penalty as the Judge of the said Chilton County Law and Equity Court may prescribe, and to be approved by the Judge or Clerk of said court. If the defendant does not make the bond required he shall remain in custody and said defendant may, within ten days after taking said appeal, demand in said Circuit Court a trial by jury, otherwise, said case shall be tried by the Court without a jury.

Section 11. That the Supreme Court and Court of Appeals of this State shall have appellate and supervisory jurisdiction over said court and the judge thereof, which may be exercised in the same manner as such jurisdiction may be exercised over the Circuit Courts of the State, and the judge thereof and appeals may be taken from the order and judgments of said court while sitting as a Court of Equity to the Supreme Court and Court of Appeals in the same manner, and within the same time, as appeals are now taken from the orders and judgments of the Circuit Courts of the State, (except as herein provided for appeals to the Circuit Court). The same rules, regulations and laws applicable to appeals from the

Circuit Court in Equity, to the Supreme Court or Court of Appeals shall govern appeals in all Equity cases from the Chilton County Law and Equity Court to the Supreme Court or Court of Appeals, unless otherwise provided in this Act.

Section 12. That any civil and equity cases now or hereafter pending in the Circuit Court of Chilton County, Alabama, may be, by agreement if the parties thereto, transferred from the Circuit Court to the Chilton County Law and Equity Court and any civil or Equity cases hereinafter pending in the Chilton County Law and Equity Court may be, by agreement of the parties thereto, transferred from said Chilton County Law and Equity Court to the Circuit Court of Chilton County, Alabama.

Section 13. That the procedures, practice and rules governing the Circuit Courts of Alabama now, or which hereafter may be adopted, shall in all things apply to and govern the procedure and practice of the Chilton County Law and Equity Court except as otherwise provided herein.

Section 14. The Sheriff of Chilton County, Alabama, shall in person or by a deputy, or deputies appointed by him, said appointment to be approved by the Judge of said Court, be required to attend upon said Court in preserving order, and execute all writs of process and perform such other duties in all respects as in the Circuit Courts of this State, and each deputy required, not exceeding three, for attendance upon said session of said court, shall receive the sum of \$3.00 per day, payable out of the county treasury upon the warrant of the judge of said court, provided that such deputies shall not receive pay except for the time that the Court is actually in session and none of such compensation to the deputies shall be shared in by the sheriff, and for the service by the sheriff of the process of said court, he shall receive under compensation as he receives under the law of the State of Alabama or any laws enacted in the future by the Legislature of Alabama for the compensation of the sheriff for similar services in the Circuit Court, except as herein otherwise provided.

Section 15. That if for any reason forfeiture be taken on any bond on the criminal side of said Court, the court may order the alias capias returnable instant or within ten days, and unless the party or parties against whom the forfeiture is taken shall appear and show cause, when the forfeiture is returnable, why the forfeiture should be set aside, then the Court is hereby authorized and empowered to make the judgment final.

Section 16. That the Judge of the Chilton County Law and Equity Court shall adopt a seal for the law side of the docket of the Chilton County Law and Equity Court which shall be kept in the custody and control of the clerk of the Court.

Section 17. That the Judge of the Chilton County Law and Equity Court shall adopt a seal for the equity side of the docket of the Chilton County Law and Equity Court which shall be kept in the custody and control of the Register of the Court.

Section 18. When the summons, writ of attachment, summons and complaint in attachment, or other process either in law or in equity has been executed on the defendant or service perfected on him, as required by law, the defendant shall appear and plead, answer or demur thereto, within the time now or which hereafter may be, provided by law, in the Circuit Courts of Alabama.

Section 19. That said Chilton County Law and Equity Court shall have exclusive jurisdiction over children and the Judge of said Chilton County Law and Equity Court shall be the Judge of the Juvenile Court; it being the intention to confer complete, full, unlimited and exclusive jurisdiction upon the Chilton County Law and Equity Court of all juvenile matters and juvenile jurisdiction in Chilton County, Alabama, as now provided under Title 13, Chapter 7, Sections 350 to 383, both inclusive of the Code of Alabama of 1940, or as hereafter amended and appeals in such cases shall be as provided by law. The Clerk of the Circuit Court is hereby made the Clerk of such Juvenile Court.

Section 20. That this Court shall have exclusive and original jurisdiction of all cases arising under Title 34, Article 3, Sections 89 to 104, both inclusive, of the Code of Alabama of 1940, or as hereafter amended which Article 3 is entitled Desertion and Non-Support. That the trial of such cases shall be by the Court without a jury and appeals in such cases shall be as provided by law. That the Judge of said Chilton County Law and Equity shall be the Judge of the Domestic Relations Court, it being the intention to confer complete, full, unlimited and exclusive jurisdiction upon the Chilton County Law and Equity Court of all domestic relations matters arising under Title 34, Article 3, Section 89 to 104 both inclusive of the Code of Alabama of 1940, as amended or hereafter may be amended.

Section 21. Prosecutions for misdemeanors committed in Chilton County, Alabama may be instituted in the said court by making an affidavit before the Judge of said Court or the Clerk, with the approval of the deputy solicitor, the writ on said affidavit to be issued by the Judge or Clerk of said Court and when the defendant is arrested on said affidavit and warrant, the case shall go on the docket for trial, and be tried as though the defendant has been indicted by a grand Jury, provided, however, that the affidavit or complaint may be amended, as now provided for amendment or such papers by Section 347, Title 13, of the Code of Alabama of 1940. All affidavits or warrants for criminal or quasi criminal acts, of, whatever kind issued by the Justices of Peace of Chilton County, Alabama shall be returnable to this Court.

Section 22. The Judge of said Court shall have power to issue search warrants, writs or habeas corpus, prohibition, certiorari, quo warranto, injunctions, mandamus and all other special and extraordinary writs, and the procedure, practice and rules of the Circuit Courts of Alabama relating to such writs as are now, or which hereafter may be provided by law, except as otherwise provided in this Act, shall prevail in the Chilton County Law and Equity Court, and the Judge thereof shall have the same powers and authority, including punishment for contempt as is or hereafter may be conferred upon the judges of the Circuit Courts of Alabama unless otherwise provided in this Act.

Section 23. The Judge of the Chilton County Law and Equity Court shall have the authority and power to appoint a competent court reporter to attend the terms of the Court and report all cases tried in said Court and said court reporter shall be paid out of the General Fund of Chilton County, Alabama a salary of \$300.00 per month payable at the end of each month on a certificate and order of the Judge of said Court. The Judge of said court may remove the court reporter, at his will, without assigning any cause for his action in doing so. The court reporter when not actively engaged in the work of the court as court reporter, shall serve as secretary to the Judge of said Court in his office. In addition to the compensation herein provided, said reporter shall be entitled to tax and collect

from the litigants of their attorneys for whom he or she is making a transcript of the evidence, the sum of fifteen cents per hundred words for each copy thereof, and such transcript is made the reporter shall append thereto his or her certificate to the correctness of the same as such official reporter. The Court reporter's notes shall be preserved and filed as now provided by law in the Circuit Court.

Section 24. That from and after the passage of this Act all fines and forfeitures assessed and collected in said court shall be deposited in the Fine and Forfeiture Fund of Chilton County, Alabama.

Section 25. That claims accruing in the Chilton County Law and Equity Court will be claims against said fund, and such claims must be paid in order in which they are registered, as provided by law.

Section 26. It shall be the duty of the clerk of said Court to keep a record upon which shall be recorded all affidavits made before the Judge or Clerk of said Court, or returnable by a justice of the peace or judge of an Inferior Court in said County, to said Court and if any of said affidavits should be lost or destroyed, a certified copy of the said record shall be used the same, as the original affidavit and for recording each of said affidavits, the clerk shall receive a fee of seventy-five cents to be taxed as costs in case the defendant's conviction.

Section 27. Judgments or decrees rendered by the Chilton County Law and Equity Court shall be a lien on the property of the judgment debtor which is subject to levy and sale under execution in the same manner and for the same period of time as it is now, or as hereafter may be, provided by law for courts of record of this state upon the filing in the office of a Judge of Probate of a certificate of the said judgment or decree issued by the clerk or Register of the said Court as it now or as hereafter may be, provided by law; and the said judgment or decree may be revived in the manner now, or as hereafter may be provided by law.

Section 28. That final judgments rendered in said court shall, after the expiration of thirty days from their rendition, be taken and deemed to have passed beyond the control the said court, as if the term of court at which judgments were rendered had ended, provided, however, that nothing herein contained shall prevent the parties applying for a new trial or rehearing within thirty days or change or destroy the office of motion for new trials or rehearings when so made, or shall prevent parties from applying to the court for rehearing under statutes authorizing applications for rehearing in the Circuit Court.

Section 29. That there shall be taxed against the defendant on conviction the same solicitor's fee and the same shall be collected in the way provided by law for taxing and collection solicitor's fees in the Circuit Court, and when collected shall be paid into the treasury of Chilton County, Alabama.

Section 30. That the County Court of Chilton County, Alabama, as created by Act No. 403, 1955 Legislature, page 941, and the County Court of Chilton County, as created by Chapter 6, Title 13, of 1940 Code of Alabama, be and the same is hereby abolished, and from and after the passage of this Act shall no longer exist and no officers of this state shall collect any fees or salaries, because of said courts, or for service rendered in said courts, and all cases pending in the County Court of Chilton County,

Alabama, as created by said Act No. 403, 1955 Legislature of Alabama, when this Act becomes a law, shall immediately become pending upon the docket of the Chilton County Law and Equity Court, as though originally brought in said Court, and shall be called for trial, as above provided, and all judgments and decrees heretofore rendered in the County Court of Chilton County, Alabama, and pending in said County Court shall be transferred to the Chilton County Law and Equity Court and said Chilton County Law and Equity Court shall have the same powers and control over such judgments and decrees and shall issue execution and other processes thereon in all respects as if the judgment and decree had been originally rendered in the Court.

Section 31. That a trial tax of three dollars (\$3.00) shall be imposed in each case, civil, criminal and equity, which is docketed in said Chilton County Law and Equity Court, to be taxed and collected as other costs, and when collected, to be paid by the Clerk or Register of said Chilton County Law and Equity Court, into the general fund of the County as other costs, provided, however, that in civil cases at law where the amount involved is Fifty Dollars or less, a trial tax fee of only \$1.00 shall be imposed and collected, provided further that in all criminal cases where the defendant is charged with violating any of the provisions of Title 36 of the 1940 Code of Alabama and pleads guilty, no trial tax shall be imposed or collected.

Section 32. Witnesses summoned and attending the Chilton County Law and Equity Court shall be entitled to the same per diem and mileage as are paid witnesses in the Circuit Court of Chilton County Alabama, and also witnesses summoned for the State in preliminary hearing shall be paid in the same manner as State witnesses are paid in the Circuit Court.

Section 33. That the Ex-Officio Clerk of the Chilton County Law Chilton County Law and Equity and Equity Court shall receive as ex-officio fees for ex-officio duties performed as clerk of the Chilton County Law and Equity Court the same amount which he is paid by the Circuit Court as provided by Title 11, Section 4, 1940 Code of Alabama, as amended such sum to be paid in twelve monthly installments out of the General Fund of Chilton County, Alabama.

Section 34. That the Clerk and Register, with the approval of the Judge of said Court, are hereby authorized and required to purchase all necessary furnishings, records, stationery and supplies for the equipment and maintenance of said court, and the same shall be paid out of the county treasury upon warrants drawn by the Judge and signed by the Clerk.

Section 35. That if, for any reason, any section, provision or clause of this Act shall be held to be unconstitutional or invalid, that fact shall not destroy the constitutionality of this Act except as to that clause or section.

Section 36. That all laws in conflict with this Act are hereby repealed.

Section 37. That this Act shall become effective immediately upon its passage and approval by the Governor.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CHILTON

Personally appeared before the undersigned, a Notary Public in and for said county and state, Bob Tucker, Publisher of the CHILTON COUNTY NEWS, a newspaper published at Clanton, County of Chilton, State of Alabama, who being duly sworn, states on oath that the advertisement, a true copy of which is hereto attached, was published in said newspaper in its issues of 8 day of June, 1961, 15 day of June, 1961, 22 day of June, 1961, 29 day of June, 1961.

BOB TUCKER,
Publisher.

Subscribed and sworn to before me this 30 day of June, 1961.

J. C. BURNETT,
Notary Public.

Also:

By Mr. Turner:

S. 411. To amend Act No. 132, H. 138, Second Special Session 1959, an act providing for a law and equity court of Crenshaw County (Acts of Alabama 1959, vol. I, p. 382).

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF CRENSHAW

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 132, H. 138, Second Special Session 1959, an act providing for a law and equity court of Crenshaw County (Acts of Alabama 1959, vol. I, p. 382) are hereby amended to read as follows:

"Section 4. The clerk of the circuit court of the county shall be by virtue of his office clerk of the Law and Equity Court of Crenshaw County hereby established, and shall have the same powers and discharge the same duties as clerks of the circuit courts. He shall be subject to the same pains and penalties with regard to the duties of the office and shall be entitled to the same fees, commissions and emoluments as are now or as may hereafter be allowed to circuit clerks of Alabama, which shall be collected as such fees and commissions are collected in the circuit courts,

except in criminal cases heretofore triable before the county court, and justices of the peace courts, the clerk shall receive the same fees and commissions as clerks of the county courts. He shall have the power to appoint a deputy clerk and delegate to him such authority as may be necessary to carry out the provisions of this Act. The clerk shall have authority to purchase at county expense such records, stationery, office supplies and equipment as may be necessary to conduct the courts business. The clerk shall have power and authority (1) To administer oaths and take acknowledgments, and affidavits; (2) To sign and issue all processes issuing out of the court, including warrants, affidavits, summonses, subpoenas, writs, executions, commitments, and releases; (3) To approve bonds in civil and criminal cases; (4) To enter all judgments, orders and decrees of the court; (5) To certify all appeals and transcripts; (6) To exercise all powers and authority which are now or may be hereafter conferred on clerks of the circuit courts.

"Section 7. The Law and Equity Court of Crenshaw County shall be held at the courthouse in Luverne and shall be open at all times for the transaction of business. If the judge fails to attend any regular session of the court because of sickness, disability, or absence from the county, or if the judge is disqualified or unable to act, the clerk shall appoint a qualified member of the bar of the court to be and act as judge pro tempore. Any person so appointed shall receive as compensation for his services the sum of fifteen dollars a day for each day he is actually engaged in holding court to be paid out of the county treasury on requisitions approved by the clerk. The judge of the court shall keep an office at such suitable place as may be provided by the court of county commissioners, board of revenue or other governing body of the county. It shall be the duty of the governing body of the county to provide such office and supply the same with telephone service and office supplies. Such office furniture, furnishings, fixtures, law library and equipment as may be necessary to enable the judge of said court efficiently to conduct the affairs of his office shall be provided by the county."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CRENSHAW

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mary F. Reeder, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Editor of the Luverne Journal, a newspaper of general circulation published in Crenshaw County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 24, May 31, June 7, and June 14, all in the year 1961.

MARY F. REEDER.

Sworn to and subscribed before me June 14, 1961.

VONCILE R. NICHOLS,
Title Notary Public.

Also:

By Mr. Turner:

S. 412. To regulate further the compensation and allowances of election officers in Crenshaw County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF CRENSHAW

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To regulate further the compensation and allowances of election officers in Crenshaw County.

Be It Enacted by the Legislature of Alabama:

Section 1. In Crenshaw County the officers appointed to hold an election shall each be entitled to ten dollars a day; and the returning officer, in addition, shall be entitled to ten cents a mile in going to the courthouse and returning to the place of holding the election. The several claims shall be paid as preferred claims, out of monies in the county treasury not otherwise appropriated, on proper proof of service rendered.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CRENSHAW

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mary F. Reeder, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Editor of the Luverne Journal, a newspaper of general circulation published in Crenshaw County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the

issues of said paper on May 24, May 31, June 7, and June 14, all in the year 1961.

MARY F. REEDER.

Sworn to and subscribed before me June 14, 1961.

VONCILE R. NICHOLS,
Title Notary Public.

Also:

By Mr. Turner:

S. 413. To provide for the election of members of the county board of education of Crenshaw County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF CRENSHAW

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To provide for the election of members of the county board of education of Crenshaw County.

Be It Enacted by the Legislature of Alabama:

Section 1. The five members of the board of education of Crenshaw County shall be nominated and elected by the qualified electors of the county as follows:

A member for place number one shall be elected from commissioners district number one and commissioners district number two at the general election in November 1964, and every six years thereafter; a member for place number two shall be elected from beats 14 and 6 of commissioners district number three at the general election in November 1962 and every six years thereafter; a member for place number three shall be elected from beats 8, 12, and 15 of commissioners district number three at the general election in November 1962, and every six years thereafter; a member for place number four shall be elected from commissioners district number four at the general election in November 1964, and every six years thereafter; a member for place number five shall be elected from the county at large at the general election in November 1964. The member so elected to place number five shall be the chairman of the county board of education. Each member of the county board of education other than the chairman must be a resident and qualified elector of the commissioners

districts or of the part thereof for which he is elected at the time of his election and during his continuance in office.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CRENSHAW

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mary F. Reeder, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was publisher of the Luverne Journal, a newspaper of general circulation in Crenshaw County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 3, May 10, May 17, and May 24, all in the year 1961.

MARY F. REEDER.

Sworn to and subscribed before me May 24, 1961.

VONCILE R. NICHOLS,
Title Notary Public.

Also:

By Mr. deGraffenried:

S. 444. Relative to cities in the State having a population of not less than 60,000 people nor more than 70,000 people, according to the last or any subsequent federal decennial census; providing for a commission form of government for such cities and making provisions for the election of the chairman of the commission board and two associate commissioners; providing for the time and manner of calling and of holding such election and providing for filing of a statement of candidacy thereof; providing for the filling of vacancies; providing for a commission board and its powers and authorities; providing for the distribution of functions of the city into three divisions, and for the duty of each commissioner with respect to said divisions; providing that the chairman of the commission board shall devote his full time to the duties of his office, and that each associate commissioner shall devote such time daily as may be necessary to perform the duties of his office; providing for the salary of the chairman and of each associate commissioner; providing that such of the provisions of Article 1, Chapter 4, Title 37 of the Alabama Code of 1940, as amended or as the same is hereafter amended, as are not inconsistent with the provisions of this act, shall apply to and govern the city after it shall become organized according to the provisions of this act; providing for the election of a recorder; providing that the existing government in any such city continue in force until the commissioners elected pursuant to this act qualify and take office; and providing for the repeal of all laws, whether general, special or local, in direct conflict with the provisions hereof.

Also:

By Mr. deGraffenried:

S. 445. To fix the compensation of the sheriffs of all counties having populations of not less than 100,000 nor more than 115,000, according to the 1960 or any subsequent federal decennial census.

Also:

By Mr. deGraffenried:

S. 446. To propose an amendment to the Constitution relating to the levy and collection of special property taxes for educational purposes in the territory subject to the jurisdiction and control of the City Board of Education of Tuscaloosa and in the territory of Tuscaloosa County.

Also:

By Mr. Turner:

S. 414. To provide clerical assistants for sheriffs of all counties having populations of not less than 14,900 nor more than 15,200, according to the 1960 or any subsequent federal decennial census; prescribing the duties of such clerks and providing for the payment of their compensation.

Also:

By Mr. Leonard:

S. 430. To regulate further the taking or catching of fish in any river that lies within or partly within any county having a population of not less than 65,000 nor more than 95,000, according to the 1960 or any subsequent federal decennial census; prescribing penalties.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 453. Local Legislation No. 1.
- S. 457. Local Legislation No. 1.
- S. 459. Local Legislation No. 1.
- S. 458. Local Legislation No. 1.
- S. 447. Local Legislation No. 1.
- S. 411. Local Legislation No. 1.
- S. 412. Local Legislation No. 1.
- S. 413. Local Legislation No. 1.
- S. 444. Local Legislation No. 1.
- S. 445. Local Legislation No. 1.
- S. 446. Was read a first time at length as required by the Constitution, and referred to the Standing Committee on Local Legislation No. 1.
- S. 414. Local Legislation No. 1.
- S. 430. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Caffey:

S. 460. To repeal Act No. 455, H. 975, General Acts of Alabama, 1949, page 659, providing for an action of ejectment to recover possession of real property sold under a title retained agreement of sale in counties having a population of not less than 140,000 nor more than 300,000, as amended by Act No. 327, H. 876, General Acts of Alabama 1957, page 431.

Also:

By Mr. Caffey:

S. 461. To provide in all counties in this State having a population of not less than 300,000 nor more than 500,000 according to the last or any subsequent Federal Census, for an action of ejectment to recover possession of real property sold under an agreement of sale whereby title to said real property is retained until full payment of the purchase price is made when default has been made in the payments provided for by such agreement of sale; to provide for the redemption of such property; to provide that said action shall not apply to real estate on which buildings and improvements are not located on the date of said agreement; and to provide that any such agreement of sale covering such improved real property may be cancelled and annulled when the purchaser has defaulted in the payments due by such agreement for a period of ninety (90) days by written notice to the purchaser either served on him personally or by registered mail of such default and cancellation.

Also:

By Mr. Caffey:

S. 462. To repeal Act No. 174, S. 247, approved July 22, 1947, an act relating to the holding of advisory elections in counties having a population of more than 140,000 and less than 250,000 inhabitants (General Acts 1947, page 60).

Also:

By Mr. Caffey:

S. 463. To repeal Act No. 563, S. 427, approved July 6, 1943 (Acts of 1942-1943, p. 561) and any and all other acts amendatory of said Act No. 563, which provides for an assistant for county coroner in all counties having a population of not less than 140,000 nor more than 300,000 according to the last or any subsequent federal census.

Also:

By Mr. Caffey:

S. 464. To repeal Act No. 733, S. 543, approved September 20, 1957, (Acts of 1957, vol. II, p. 1153), which fixes the compensation of the

coroner in all counties having a population of not less than 140,000 nor more than 300,000 according to the last or any subsequent federal decennial.

Also:

By Mr. Caffey:

S. 465. To prescribe the compensation of coroners in all counties having a population of not less than 300,000 nor more than 500,000, according to the last or any subsequent decennial Federal census, and the method of payment thereof; to provide an assistant for such coroners to be known as the Coroner's Physician, and to provide for his appointment, qualifications, compensation, allowances and method of payment thereof.

Also:

By Mr. Shelton:

S. 476. To repeal Act No. 133, H. 138, approved September 21, 1959, an act relating to the payment of a monthly expense allowance for each circuit judge in certain judicial circuits composed of one county classified on a population basis (Acts of Alabama 1959, vol. I, p. 655).

Also:

By Mr. deGraffenried:

S. 478. Relating to all cities in the State of Alabama having a population of not less than 60,000 people nor more than 70,000 people, according to the last or any succeeding regular federal decennial census; providing for a special referendum in any such city for the purpose of giving the qualified electors of the city an opportunity to express themselves for or against the participation by such city in an Urban Renewal Project; authorizing an expenditure from general funds of such municipality to pay the cost of such election; and authorizing expenditures from the general fund of such city to pay the cost of any election heretofore held prior to the adoption of this act; and approving prior expenditures for such elections which have been heretofore held.

Also:

By Mr. Moses:

S. 477. To amend further Section 713 of Title 7, Code of Alabama 1940, which relates to the printing and publishing of legal advertisements.

Also:

By Mr. Dumas

S. 485. To amend Code of Alabama 1940, Title 7, Section 221, which relates to consolidation of causes in the circuit courts of certain counties classified on a population basis.

Also:

By Mr. Dumas:

S. 486. To provide further for assessing and collecting taxes in certain counties classified on a population basis, amending Code of Alabama 1940, Title 51, Sections 78 and 80.

Also:

By Mr. Dumas:

S. 495. To amend Act No. 488, General Laws of Alabama, approved September 10, 1957, Acts of 1957, p. 675, entitled, "To fix the time for opening and closing the polls at certain elections held in counties which now have or which may hereafter have a population in excess of 500,000, according to the last or any subsequent federal decennial census."

Also:

By Mr. Dumas:

S. 489. To provide that in all counties of this State which now have or may hereafter have a population of more than 500,000 according to the last or any subsequent federal census, the judge of the probate court of such counties may try inquisitions of lunacy with or without a jury; and to further provide that when a jury is demanded in such proceedings, said jury shall be impaneled in the same manner as is now provided for the trial of a will contest in the probate courts of this State.

Also:

By Messrs. Dumas and Caffey:

S. 488. To repeal Act No. 52, H. 60, approved June 10, 1949, entitled "An Act to prescribe the hours during which the polls shall be open in counties having a population of three hundred thousand or more" (Acts of Alabama 1949, p. 77).

Also:

By Messrs. Dumas and Caffey:

S. 483. To repeal Act No. 166, H. 443, approved June 21, 1945, an act relating to the creation of redevelopment agencies in certain counties classified on a population basis (Gen. Acts 1945, p. 254).

Also:

By Mr. Cooper:

S. 480. To alter, rearrange and extend the boundaries and corporate limits of the Town of Camden, Wilcox County, Alabama, so as to annex certain territory to the Town.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE
A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundaries and corporate limits of the Town of Camden, Wilcox County, Alabama, so as to annex certain territory to the Town.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries and corporate limits of the Town of Camden, Wilcox County, Alabama, are hereby altered, rearranged and extended so as to include within the corporate limits of the Town the following described territory in addition to the area now embraced within such boundaries and corporate limits, to-wit:

For a point of beginning, commence at the SE corner of Section 18, Township 12 N. Range 8 E., St. Stephens meridian; thence proceed West along Section line for a distance of 1000 feet to the True Point of Beginning; thence proceed West along said Section line for a distance of 315 feet to the Quarter-Section line; thence proceed North along the Quarter-Section line for a distance of 60 feet, more or less, to the center of Alabama State Highway No. 28, a paved highway leading from Camden to Catherine; thence proceed North 39 degrees West along the center line of said highway for a distance of 837 feet to a point which marks the Northwest corner of the within described parcel; thence proceed East for a distance of 758 feet to a point which marks the Northeast corner of the within described parcel; thence proceed South for a distance of 660 feet to the True Point of Beginning; the within described parcel being situated in the SW corner of the SE $\frac{1}{4}$ of SE $\frac{1}{4}$, and in the SE portion of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, all in Section 18, T. 12 N., R. 8 E., Wilcox County, Alabama, and containing 6.67 acres, more or less.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF WILCOX

Before me, the undersigned authority in and for said County in said State, this day personally appeared Edwina LeCroy, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was local editor of the Wilcox Progressive Era, a newspaper of general circulation published in Wilcox County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 15, 1961, June 22, 1961, June 29, 1961, and July 6, all in the year 1961.

EDWINA LeCROY.

Sworn to and subscribed before me July 15, 1961.

ELEANOR H. HAYS,
Title Notary Public Wilcox Co.

Also:

By Mr. Cooper:

S. 481. To alter and rearrange the boundaries of the town of Camden, Wilcox County, so as to annex certain territory to the town.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

A BILL TO BE ENTITLED AN ACT

To alter and rearrange the boundaries of the town of Camden, Wilcox County, so as to annex certain territory to the town.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the town of Camden, Wilcox County, are hereby altered, rearranged and extended so as to include within the corporate limits of the town the following described territory, together with the territory presently embraced within the corporate limits, to-wit: The remainder of the $W\frac{1}{2}$ of the $SW\frac{1}{4}$ of the $NE\frac{1}{4}$ of Sec. 19, T. 12N R. 8E that is not included in the City Limits of the Town of Camden, Alabama except the strip lying South of the centerline of the Whiskey Run Road now included in the right of way of same, but not inside the Camden City Limits. Beginning at the N. E. corner of the $W\frac{1}{2}$ of the $SW\frac{1}{4}$ of the $NE\frac{1}{4}$ of Sec. 19 T. 12N, R. 8E, thence W. along the N. margin of the $SW\frac{1}{4}$ of the $NE\frac{1}{4}$ for a distance of 693 ft., thence S. along the W. margin of the $SW\frac{1}{4}$ of the $NE\frac{1}{4}$ for a distance of 533 ft. thence East for a distance of 693 ft. to the E. margin of the $W\frac{1}{2}$ of the $SW\frac{1}{4}$ of the $NE\frac{1}{4}$ thence N. along the E margin of the $W\frac{1}{2}$ of the $SW\frac{1}{4}$ of the $NE\frac{1}{4}$ for a distance of 533 ft. to the point of beginning. Said land being a strip 533 ft. in width off the N. part of the $W\frac{1}{2}$ of the $SW\frac{1}{4}$ of the $NE\frac{1}{4}$ of Section 19, T. 12N., R. 8E, and containing 8.48 acres more or less.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF WILCOX

Before me, the undersigned authority in and for said County in said State, this day personally appeared Edwina LeCroy, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was local editor of the Wilcox Progressive Era, a newspaper of general circulation published in Wilcox County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 22, June 29, July 6, and July 13, all in

the year 1961.

EDWINA LeCROY.

Sworn to and subscribed before me July 15, 1961.

ELEANOR H. HAYS,
Title Notary Public Wilcox Co.

Also:

By Mr. Hines:

S. 416. To provide further for the purging the lists of registered voters in Chambers County; requiring and prescribing the procedure for the re-identification of registered voters; placing certain duties on the board of registrars, judge of probate, and the county governing body relative to the re-identification of registered voters; and providing a penalty for willfully making a false statement in connection with re-identification.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

A BILL TO BE ENTITLED AN ACT

To provide further for the purging the lists of registered voters in Chambers County; requiring and prescribing the procedure for the re-identification of registered voters; placing certain duties on the board of registrars, judge of probate, and the county governing body relative to the re-identification of registered voters; and providing a penalty for willfully making a false statement in connection with re-identification.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of registrars of Chambers County is hereby directed to purge all lists of the qualified electors in the county to the end that the names of all persons who are deceased or nonresidents of the county, or have otherwise become disqualified from voting in Chambers County, shall be removed from such lists, and that the name of each qualified elector shall appear only on the list of qualified electors for the beat in which he resides.

Section 2. The board of registrars shall omit and remove from the lists of qualified electors of the county the name of any person who fails to reidentify himself, in the manner prescribed herein, before the first day of January, 1962. No person whose name is removed from the list of qualified electors as herein provided shall cease permanently to be a qualified elector nor be subject to re-registration, but shall be subject only to the requirement that he reidentify himself as a duly registered elector before being listed on the list of qualified electors in the county, and before being entitled to vote.

Section 3. Prior to the first day of January, 1962, the board of registrars of Chambers County is hereby authorized, directed, and re-

quired to visit each beat in the county at least once, and more often if necessary, and remain there at least one day from nine o'clock in the morning until five o'clock in the afternoon, for the purpose of enabling qualified and registered voters residing in the beat to appear before the board and reidentify themselves. The board shall give at least ten days notice, by advertisement in a newspaper published in the county, of the time when, and the place in the beat where, they will attend for the purpose of enabling voters to appear and reidentify themselves. Upon failure to give such notice, or to attend any appointment made by them in any beat, they shall, after like notice, fill new appointments. The board shall remain in session for thirty days. During the 30 day session the board shall visit each beat on at least one day and the remainder of the time may be divided as the board of registrars deem necessary, to enable the qualified electors of the county to appear and reidentify themselves in the manner prescribed herein. If in the opinion of the board of registrars additional time is necessary, the governing body of the county may at their discretion grant additional time not to exceed ten (10) additional days.

Section 4. Each member of the board of registrars shall receive ten dollars per day, for each day's attendance upon the special sessions of the board required under the provisions of this Act; but if such special session is held on the same day a regular session is required to be held under the laws of this State, registrars shall receive only one per diem allowed for performing their regular duties, it being the intent and purpose of this Act that registrars shall be entitled to receive only one per diem allowance for one day's service. If one or more of the members of the board shall refuse, neglect, or be unable to serve, or if a vacancy or vacancies occur in the membership of the board from any cause, the Governor, State Auditor, and Commissioner of Agriculture and Industries, or a majority of them, shall forthwith make other appointments to fill such vacancies.

Section 5. The voter may reidentify himself by appearing in person before the board of registrars or by appearing before the judge of probate, or either of the clerks in the office of the judge of probate, or before the board of registrars in regular session, and answering such questions and submitting such proof under oath, as the board may require in order to establish the voter's identity, place of legal residence, and the fact that the voter has not become disqualified from voting in the county. Provided, however, that a member of the armed forces of the United States of America or his spouse may reidentify himself in person or by United States mail on application as provided by the board of registrars.

Section 6. The board of registrars shall meet on the first Monday in January 1962, for the purpose of purging the registration lists and the names of all persons who have failed to appear and reidentify themselves in the manner herein prescribed shall be stricken from the lists provided, however, that said board shall not strike the name of any person, or of the spouse of any person, known by any member of said board, or made known to the said board by the written affidavit of another qualified elector, to be in active duty of any of the armed forces of the United States of America, and to be stationed, or to be living with her or his spouse, as the case may be, outside of Chambers County, Alabama during the period of time from the effective date hereof to January 1, 1962.

Section 7. Any qualified elector of the county who shall have his name omitted or removed from the list of qualified electors in the county by failure to appear and reidentify himself as herein provided shall be en-

Registrar—Judge of Probate

Section 10. Any person who willfully makes a false statement to the board of registrars, or any duly authorized person, in reidentifying himself as a qualified elector in the manner provided herein shall be guilty of perjury, and upon conviction thereof shall be punished by imprisonment in the penitentiary for not less than one nor more than five years.

Section 11. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 12. All laws or parts of laws which conflict with this Act are repealed.

Section 13. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CHAMBERS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bonnie Hand, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the LaFayette Sun, a newspaper of general circulation published in Chambers County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 24, May 31, June 7, and June 14, all in the year 1961.

BONNIE HAND.

Sworn to and subscribed before me June 24, 1961.

PEARL H. HAND,
Title Notary Public.

Also:

By Mr. Godfrey:

S. 456. To alter or re-arrange the boundary lines of the Town of Leesburg, Cherokee County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory in Cherokee County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

NOTICE is hereby given that a bill substantially as follows will be introduced at the 1961 regular session of the Legislature of Alabama and application for its passage and enactment will be made.

A BILL
TO BE ENTITLED
AN ACT

To alter or re-arrange the boundary lines of the Town of Leesburg, Cherokee County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory in Cherokee County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section I: That the boundary lines of the Town of Leesburg, Cherokee County, Alabama, be, and the same are altered or re-arranged so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory in Cherokee County, Alabama, all of which territory is more particularly described as being all of the territory lying with the County of Cherokee, State of Alabama, included and embraced within the boundaries herein set out, to-wit:

To describe the Town limits of Leesburg, Cherokee County, Alabama, begin at the Northeast corner of the Northwest quarter (NW quarter) of Section Ten (10), Township Ten (10) South, Range Eight (8) East; thence in a Southwesterly direction in a direct line to the Southwest corner of the Northwest Quarter (NW quarter) of Section Ten (10), Township Ten (10) South, Range Eight (8) East thence South along the West line of Section Ten (10), Township Ten (10) South, Range Eight (8) East and Section Fifteen (15), Township Ten (10) South, Range Eight (8) East to the Southwest corner of the North one-half (N half) of the North one half (N half) of Section Fifteen (15), Township Ten (10) South, Range Eight (8) East; thence East along the South line of the North one-half (N half) of the North one-half (N half) of Sections Fifteen (15), Fourteen (14), and Thirteen (13), Township Ten (10) South, Range Eight (8) East to the Southeast corner of the Northeast quarter (NE quarter) of the Northwest quarter (NW quarter) of Section Thirteen (13), Township Ten (10) South, Range Eight (8) East thence North along the East line of the Northwest quarter (NW quarter) of Section Thirteen (13), Township Ten (10) South, Range Eight (8) East to the Northeast corner of the Northwest quarter (NW quarter) of Section Thirteen (13), Township Ten (10) South, Range Eight (8) East; thence East along the South line of Section Twelve (12), Township Ten (10) South, Range Eight (8) East to the Southeast corner of the Southwest quarter (SW quarter) of the Southeast quarter (SE quarter) of Section Twelve (12), Township Ten (10) South, Range Eight (8) East; thence in a Northeasterly direction in a direct line to the Southeast corner of the Northeast quarter (NE quarter) of the Southeast quarter (SE quarter) of Section Twelve (12) Township Ten (10) South, Range Eight (8) East; thence in a Northerly direction along the East line of Section Twelve (12), Township Ten (10) South, Range Eight (8) East to the Northeast corner of Section Twelve (12), Township Ten (10) South, Range Eight (8) East; thence West along the North line of Sections Twelve (12) Eleven (11), and Ten (10) to the point of beginning, all the above described lands being in Township Ten (10) South, Range Eight (8) East of the Huntsville Meridian and lying and being in Cherokee County, Alabama.

Section II: That the boundaries set out in Section One of this act be, and the same are hereby established as the corporate limits of said Town of Leesburg, Cherokee County, Alabama, and all the territory included and embraced within said boundaries shall hereafter be and constitute a part of the Town of Leesburg, Cherokee County, Alabama.

Section III: That all laws and parts of laws, both general, special and local, in conflict with this act be, and the same are hereby repealed.

Section IV: This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CHEROKEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared JOSEPH M. SHAW, JR., who being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of the Cherokee County Herald, a newspaper of general circulation published in Cherokee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 14, June 21, June 28, and July 5, all in the year 1961.

JOE M. SHAW, JR.

Sworn to and subscribed before me July 8, 1961.

GLADYS P. COBB,
Title Notary Public.

Also:

By Mr. Haltom:

S. 479. To alter, rearrange, and extend the boundary lines and corporate limits of the City of Florence in Lauderdale County so as to annex certain territory to the city.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF LAUDERDALE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter, rearrange, and extend the boundary lines and corporate limits of the City of Florence in Lauderdale County so as to annex certain territory to the city.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the City of Florence in Lauderdale County are hereby altered, rearranged, and ex-

tended so as to include within the corporate limits of the city the following described territory situated in Lauderdale County, to-wit:

A tract or parcel of land lying and being in Section 27, Township 2 South, Range 11 West, Lauderdale County, Alabama, more particularly described as follows: Beginning at a point on the North side of Alexander Heights, where the West line of Block 7, Forest Hills, intersects said North Line of Alexander Heights; run thence Westwardly along the North line of said Alexander Heights for a distance of 510 feet to a point; run thence Northwardly and parallel to the West line of said Block 7, Forest Hills, for a distance of 977.19 feet to a point, said point being the Southeast corner of Forest Hills Addition; run thence North 89 degrees 15 minutes West along the South line of Forest Hills Addition for a distance of 795.05 feet to the Southwest corner of said Forest Hills Addition; run thence North 11 degrees 57 minutes West along the boundary of Forest Hills Addition 2056.8 feet to a point; continue thence along the boundary of Forest Hills Addition North 15 degrees 42 minutes West for a distance of 887 feet to a point; run thence South 89 degrees 38 minutes East along the boundary of Forest Hills Addition for a distance of 469.5 feet to a point; run thence North 1 degree 4 minutes East for a distance of 665.35 feet along the boundary of Forest Hills Addition to the center line of Rasch Road, said center line being the North line of said Section 27; run thence Eastwardly along the North line of said Section 27 to the existing City limit line; run thence Southwardly, Eastwardly and Southwardly along the West line of Greenview Memorial Cemetery and Forest Hills, said line being the existing City limit line, to the point of beginning.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LAUDERDALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared BEULAH C. SUTTON, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Secretary of the Florence Herald, a newspaper of general circulation published in Lauderdale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 15, June 22, June 29, and July 6, all in the year 1961.

BEULAH C. SUTTON.

Sworn to and subscribed before me July 17, 1961.

H. S. MAY,
Title Notary Public.

My Commission expires August 31, 1964.

Also:

By Messrs. Dumas and Caffey:

S. 487. To repeal Act No. 564, H. 985, approved October 8, 1947, an act relating to the power of municipal corporations located within certain

counties classified on a population basis to establish zoning districts and to regulate buildings and structures within their police jurisdictions (Gen. Acts 1947, p. 401).

Also:

By Messrs. Dumas and Caffey:

S. 490. To repeal Act No. 632, H. 1053, approved July 10, 1940, an act providing for trials of inquisitions of lunacy with or without juries in certain counties classified on a population basis (Gen. Acts of Alabama 1939, p. 999).

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 460. Local Legislation No. 1.
- S. 461. Local Legislation No. 1.
- S. 462. Local Legislation No. 1.
- S. 463. Local Legislation No. 1.
- S. 464. Local Legislation No. 1.
- S. 465. Local Legislation No. 1.
- S. 476. Local Legislation No. 1.
- S. 478. Local Legislation No. 1.
- S. 477. Local Legislation No. 1.
- S. 485. Local Legislation No. 2.
- S. 486. Local Legislation No. 2.
- S. 495. Local Legislation No. 2.
- S. 489. Local Legislation No. 2.
- S. 488. Local Legislation No. 1.
- S. 483. Local Legislation No. 1.
- S. 480. Local Legislation No. 1.
- S. 481. Local Legislation No. 1.
- S. 416. Local Legislation No. 1.
- S. 456. Local Legislation No. 1.
- S. 479. Local Legislation No. 1.
- S. 487. Local Legislation No. 1.
- S. 490. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Caffey:

S. 384. To confer on the Probate Courts in all counties of this State, which now have or may hereafter have a population of over 300,000 and less than 500,000, according to the last or any subsequent Federal census, general equity jurisdiction, concurrent with that of the Circuit Courts, in Equity, of this State in the administration of the estates of deceased persons, minors and insane persons, including testamentary trust estates; and to confer on the judges of such Probate Courts the same powers and authority which Judges and Registers of the Circuit Courts of this State now have in connection with the administration of such estates in the Circuit Courts, in Equity; to provide for the pleading, practice and procedure in such matters, and for the enforcement of judgments and decrees and for appeals to the Supreme Court from the orders, judgments and decrees of such courts; and to provide for the compensation of the judges of such courts, including the assessment and collection of fees, commissions and cost of court for the performance of the duties authorized by this act.

Also:

By Mr. Caffey:

S. 390. To require the tax assessor of counties having a population of not less than 300,000 and not more than 500,000 inhabitants as shown by the last or any succeeding federal census, in addition to such duties as are now required of him by law, to act in an advisory capacity to the county board of equalization, and to investigate complaints as to assessments and make reports thereon to said board, and to provide for additional compensation of the tax assessor of such counties on account of such extra duties.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 384. Local Legislation No. 1.

S. 390. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 102. To regulate further the compensation of county superintend-

ents of education in all counties having a population of not less than 15,500 nor more than 16,300 inhabitants, according to the last or any subsequent federal decennial census.

Also:

H. 103. To repeal Act No. 18, H. 114, approved May 26, 1955, entitled "An Act to regulate further the compensation of county superintendents of education in all counties having a population of not less than 19,200 nor more than 20,000 inhabitants, according to the last or any subsequent federal decennial census," (Acts of Alabama 1955, vol. I, p. 231).

Also:

H. 106. To repeal Act No. 154, H. 496, approved June 30, 1953, entitled, "An Act to fix the compensation of the superintendent of education in any county having a population of not less than 16,100 nor more than 16,450, according to the 1950 or any subsequent federal decennial census," (Acts of Alabama 1953, vol. I, p. 197).

Also:

H. 107. To repeal Act No. 32, H. 293, approved June 17, 1957, entitled, "An Act to fix the compensation of the county superintendent of education in all counties having a population of not more than 16,475 nor less than 16,075, according to the last or any subsequent federal decennial census," (Acts of Alabama 1957, vol. I, p. 80).

Also:

H. 880. Proposing an amendment to the Constitution of Alabama relating to Lamar County, and ordering an election thereon.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Mr. Andrews:

S. 451. To provide further for the operation and maintenance of public high schools and public elementary schools in Bullock County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF BULLOCK

NOTICE is hereby given that a bill substantially as follows will be

introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENACTED
AN ACT

To provide further for the operation and maintenance of public high schools and public elementary schools in Bullock County.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of education of Bullock County shall cause to be operated and maintained at least two high schools and at least two elementary schools within the county for the attendance of white pupils, and one such high school and one such elementary school shall be situated in Union Springs and one such high school and one such elementary school shall be located at Inverness.

Section 2. The provisions of this Act are mandatory and all conflicting laws or parts thereof are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

6-15-4tc

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BULLOCK

Before me, the undersigned authority in and for said County in said State, this day personally appeared Wm. H. Garner, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Union Springs Herald, a newspaper of general circulation published in Bullock County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 15, June 22, June 29, and July 6, all in the year 1961.

W. H. GARNER.

Sworn to and subscribed before me July 7, 1961.

RUBYE M. GARNER,
Title Notary Public.

SENATE MESSAGE

The Senate Bill, the title to which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 451. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 74. Expressing sympathy to Representative Jones and Judge Merrill for the death of Mrs. Minnie Jones Griffin Tucker.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 799. To alter or rearrange the boundary lines of the Town of Pine Hill, Alabama, Wilcox County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Wilcox County, Alabama.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Oakley the House concurred in and adopted the Senate amendment to the bill, H. 779, said Senate amendment being as follows:

Amendment to House Bill No. 779) Changing Town Limits of Pine Hill, Alabama

Section 1. Paragraph Three*

Delete: "thence down said Creek with its meanders to the East Line of the W½ of the NE¼ of Sec. 20."

Add in place of above:

"thence down said creek with its meanders to the East line of the W½ of the NE¼ of Section 29".

Yeas 75; Nays 0.

Yeas:

Messrs.	Bevill	Brooks	Daniel
Adams	Bishop	Callahan	Dickson
Albea	Brannan	Camp	Dodd
Avery	Branyon	Chambers	Dunn
Barnett	Brewer	Copeland	Edwards
Bassett	Broadfoot	Cornett	Engel

Franklin	Hawkins	Martin	Rozelle
Gilmer	Hearn	Merrill	Salter
Glass	Ingram	Morrow	Self
Goldthwaite	Jenkins	Nettles	Sessions
Goodwyn	Johnson (Hardaway)	Nichols	Smith (Russell)
Grant	Johnson (J. T. Tom)	Oakley	Solomon
Gross	Johnston (Leonard)	Oden	Steagall
Grouby	Jones (Covington)	Owens	Sullivan
Guthrie	Lee	Powell	Taylor
Hain	Locke	Ramey	Thomas
Hankins	McClendon (Chambers)	Rast	Torbert
Hardy	McCorquodale	Ray	Turner
Harris	McLendon (Bullock)	Reynolds (Madison)	Turnham

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 869. To provide for and prescribe the form of government for all cities having a population of not less than 100,000 nor more than 200,000 inhabitants according to the last federal census or any subsequent regular decennial federal census.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Goodwyn the House concurred in and adopted the Senate amendment to the bill, H. 869, said Senate amendment being as follows:

Amend Section 23 of H. B. 869 by adding the following paragraphs at the end of said Section.

Provided, that the salary of the incumbent Recorder of the Recorder's Court of the City of Montgomery at the time of the passage and approval of this Act shall be not less than \$6,000.00 per annum, which sum shall be paid in the same manner as other employees of the City of Montgomery are paid, and shall be exclusive of any sums now or hereafter paid to the Recorder by the State of Alabama or Montgomery County, Alabama. That said Recorder shall be eligible for such other salary increases as may be approved by the Personnel Board.

Provided, that the salary of the incumbent Prosecutor of the Recorder's Court of the City of Montgomery at the time of the passage and approval of this Act shall be not less than \$3,960.00 per annum, which sum shall be paid in the same manner as other employees of the City of Montgomery are paid, and shall be exclusive of any sums now or hereafter paid to the Prosecutor by the State of Alabama or Montgomery County, Alabama. That said Prosecutor shall be eligible for such other salary increases as may be approved by the Personnel Board.

Amend H. B. 869 by deleting from Section 26 thereof the last sentence, which reads as follows:

"It is the intention here to provide that an employee who performs the duties of a regular employee in the service of the city, although his or her compensation is computed on a per diem basis, shall have his or her length of service in employment computed and counted for the entire period for which said employee has been engaged and on call and available for continuous service; provided, however, that in any such city which has an existing retirement system, any employee who has been eligible under such retirement system shall be excluded from the benefits of this section."

and substituting therefor the following sentence:

"It is the intention here to provide that an employee who performs the duties of a regular employee in the service of the city, although his or her compensation is computed on a per diem basis, shall have his or her length of service in employment computed and counted for the entire period for which said employee has been engaged and on call and available for continuous service; provided, however, that in any such city which has an existing retirement system, any employee who has been eligible and did not waive membership under such retirement system shall be excluded from the benefits of this section."

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Dodd	Hearn	Owens
Avery	Dunn	Ingram	Pierce
Bailey	Edwards	Jenkins	Powell
Barnett	Engel	Johnson (Hardaway)	Pruitt
Bassett	Ferguson	Johnson (J. T. Tom)	Ramey
Bevill	Franklin	Johnston (Leonard)	Rast
Bishop	Gilmer	Jones (Covington)	Ray
Brannan	Glass	Lee	Reynolds (Madison)
Branyon	Goldthwaite	Locke	Rozelle
Brewer	Goodwyn	Long (Perry)	Salter
Broadfoot	Grant	McClendon (Chambers)	Self
Brooks	Gross	McCorquodale	Smith (Russell)
Cabiness	Grouby	McLendon (Bullock)	Speaks
Callahan	Guthrie	Meade	Steagall
Camp	Hain	Morrow	Sullivan
Chambers	Hanby	Nettles	Taylor
Copeland	Hankins	Nichols	Thomas
Cornett	Hardy	Oakley	Turner
Daniel	Hawkins	Oden	Turnham
Dickson			

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 685. To provide for and fix the salaries of members of the Commission or board of Commissioners (including the president of such com-

mission or board) of each city in the State of Alabama having a population of not less than 32,500 nor more than 33,500 inhabitants according to the last Federal Census, or which shall hereafter have such population according to any succeeding federal census, and to fix the time and regulate the mode of payment of such salaries; To provide further, that in such municipalities which own and operate light and power systems, and municipal water systems, one or either of them, that the president of such Commission shall be and act and be constituted as the supervisor thereof and shall be responsible for the planning, supervising and financing thereof; to fix his duties and to provide and fix the salaries, to fix the time and regulate the mode of payment thereof, to be paid the president of such Commission for his services as such supervisor out of the funds of such municipal light and power system, and municipal water system, one or either of them; To provide that this Act shall become effective on the first day of July, 1961.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Edwards the House concurred in and adopted the Senate amendment to the bill, H. 685, said Senate amendment being as follows:

Amendment to House Bill 685:

House Bill 685 is hereby amended by striking out Section 5 thereof and inserting in lieu thereof the following:

"This bill shall take effect immediately upon its passage and approval by the governor or upon its otherwise becoming a law."

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Daniel	Hearn	Powell
Adams	Dickson	Ingram	Ramey
Barnett	Dodd	Jenkins	Rast
Bassett	Dunn	Johnson (Hardaway)	Ray
Bevill	Edwards	Johnson (J. T. Tom)	Reynolds (Madison)
Bishop	Ferguson	Johnston (Leonard)	Roberts
Brannan	Gilchrist	Lee	Rogers
Branyon	Gilmer	Locke	Rozelle
Brewer	Glass	McClendon (Chambers)	Salter
Broadfoot	Goodwyn	McCorquodale	Self
Brooks	Grant	McLendon (Bullock)	Sessions
Cabiness	Gross	Meade	Smith (Russell)
Callahan	Grouby	Morrow	Speaks
Camp	Guthrie	Nettles	Steagall
Casey	Hain	Nichols	Sullivan
Cates	Hanby	Oakley	Taylor
Chambers	Hankins	Oden	Thomas
Copeland	Hardy	Perry	Turner
Cornett	Hawkins	Phillips	Turnham

MOTION ON H. 1097

Pursuant to Notice in Writing given on the last Legislative Day, Mr. Cabiness moved for the House to direct the Standing Committee on Local Legislation No. 1 to act on House Bill 1097 and to report the same to the House, and the motion of Mr. Cabiness was lost.

Yeas 18; Nays 3.

Yeas:

Messrs.	Callahan	Gross	Self
Albea	Cates	Grouby	Shumate
Brewer	Ferguson	Harris	Speaks
Broadfoot	Gilchrist	Jones (Covington)	Sullivan
Cabiness	Gordon	Long (Lauderdale)	

—18

Nays:

Messrs.	Bassett	Boyd	Britton
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—3

PRESENCE OF QUORUM ASCERTAINED

Mr. Cabiness questioned the presence of a quorum, and on a call of the roll of the House the following members answered to their names:

Mr. Speaker	Dickson	Hearn	Ramey
Adams	Dunn	Johnston (Leonard)	Rast
Albea	Edwards	Jones (Covington)	Ray
Barnett	Engel	Locke	Reynolds (Madison)
Bassett	Ferguson	Long (Lauderdale)	Roberts
Bevill	Gilchrist	McClendon (Chambers)	Rozelle
Bishop	Gilmer	McCorquodale	Salter
Boyd	Glass	McLendon (Butlock)	Self
Brannan	Gordon	Martin	Sessions
Britton	Grant	Meade	Shumate
Broadfoot	Cross	Merrill	Smith (Russell)
Brooks	Grouby	Morrow	Speaks
Cabiness	Guthrie	Netties	Steagall
Callahan	Hain	Oakley	Sullivan
Cates	Hankins	Perry	Trimmier
Cook	Hardy	Phillips	Turnham
Copeland	Harris	Powell	Vickers
Daniel	Hawkins	Pruitt	

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A quorum was present.

BILLS ON THIRD READING
SPECIAL ORDER

The House proceeded to the consideration of the special order.

And the bill:

H. 179. To provide for and regulate salaries payable to certain state officers and employees in state service, amending Code 1940, Title 41, Section 152, and repealing conflicting laws.

Was again taken up.

Mr. Goodwyn offered the following amendment to the bill, H. 179:

Amend Section 1 of House Bill No. 179 by inserting therein immediately following the words "attorney general", in the first paragraph thereof, the following:

"the state superintendent of education, the commissioner of agriculture and industries".

And the amendment was adopted.

Yeas 78; Nays 8.

Yeas:

Mr. Speaker	Dunn	Johnson (J. T. Tom)	Rast
Adams	Edwards	Johnston (Leonard)	Ray
Albea	Engel	Jones (Covington)	Reynolds (Madison)
Bailey	Ferguson	Lee	Roberts
Barnett	Franklin	Locke	Rogers
Bevill	Gilchrist	Long (Perry)	Rozelle
Bishop	Gilmer	McClendon (Chambers)	Self
Boyd	Glass	McCorquodale	Sessions
Brannan	Goldthwaite	McLendon (Bullock)	Smith (Russell)
Brewer	Goodwyn	Meade	Solomon
Britton	Gordon	Merrill	Steagall
Callahan	Grant	Morrow	Sullivan
Camp	Gross	Nettles	Taylor
Casey	Guthrie	Nichols	Thomas
Cates	Hain	Oakley	Torbert
Chambers	Hanby	Perry	Trimmier
Copeland	Hankins	Phillips	Turner
Cornett	Hawkins	Pierce	Turnham
Dickson	Hearn	Powell	Vickers
Dodd	Johnson (Hardaway)		

—78

Nays:

Messrs.	Grouby	Martin	Shumate
Avery	Ingram	Ramey	Speaks
Cabiness			

—8

Mr. Brewer offered the following substitute for the bill, H. 179, as amended:

A BILL
TO BE ENTITLED
AN ACT

To provide for and regulate salaries payable to certain state officers and employees in state service, amending Code 1940, Title 41, Section 152, and repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. Title 41, Section 152, Code of Alabama 1940, as amended by an act approved September 8, 1955, is amended further to read as follows:

"Section 152. Amounts of salaries.—When not fixed by law or provided for in the pay plan of the merit system, the governor is authorized to fix or approve salaries or compensation of officers and employees of the State of Alabama, but no salary or compensation, including those provided for in the pay plan of the merit system, shall be fixed or approved in excess of nine thousand dollars (\$9,000) per annum, unless a different maximum is fixed by law; provided, however, that the state personnel board may provide in the pay plan for officers and employees in the classified service of the state, as defined in the Merit System Law, a maximum salary or compensation not to exceed ten thousand five hundred dollars (\$10,500) per annum, any law now applying to the salary or compensation of specific officers or employees to the contrary notwithstanding."

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

The motion of Mr. Goodwyn to lay on the table the substitute offered by Mr. Brewer was lost.

Yeas 39; Nays 48.

Yeas:

Mr. Speaker	Dickson	Meade	Sessions
Bailey	Engel	Murphy	Smith (Russell)
Bevill	Faulk	Nichols	Solomon
Brannan	Goldthwaite	Perry	Sullivan
Branyon	Goodwyn	Phillips	Taylor
Brooks	Guthrie	Pierce	Thomas
Callahan	Hanby	Pruitt	Torbert
Casey	Locke	Roberts	Trimmier
Cook	McCorquodale	Rogers	Vickers
Cornett	McLendon (Bullock)	Rozelle	

—39

Nays:

Messrs.	Franklin	Johnson (Hardaway)	Oakley
Albea	Glass	Johnson (J. T. Tom)	Oden
Barnett	Gordon	Johnston (Leonard)	Powell
Brewer	Grant	Jones (Covington)	Ramcy
Broadfoot	Gross	Lee	Rast
Cabiness	Grouby	Long (Lauderdale)	Ray
Camp	Hankins	Long (Perry)	Salter
Copeland	Harris	McClendon (Chambers)	Self
Daniel	Hawkins	Martin	Smith (St. Clair)
Dodd	Hearn	Merrill	Speaks
Dunn	Ingram	Morrow	Steagall
Edwards	Jenkins	Nettles	Turner
Ferguson			

—48

The question was on the adoption of the substitute offered by Mr. Brewer for the bill, H. 179, as amended, and said substitute was adopted.

Yeas 75; Nays 18.

Yeas:

Mr. Speaker	Dodd	Jenkins	Phillips
Albea	Dunn	Johnson (Hardaway)	Pierce
Bailey	Edwards	Johnson (J. T. Tom)	Powell
Barnett	Faulk	Johnston (Leonard)	Pruitt
Bassett	Ferguson	Jones (Covington)	Rast
Bishop	Franklin	Lee	Ray
Boyd	Gilchrist	Locke	Rozelle
Branyon	Gilmer	Long (Lauderdale)	Self
Brewer	Goldthwaite	Long (Perry)	Sessions
Britton	Goodwyn	McClendon (Chambers)	Shumate
Broadfoot	Gordon	McLendon (Bullock)	Smith (Russell)
Brooks	Grant	Meade	Smith (St. Clair)
Camp	Gross	Merrill	Speaks
Cates	Grouby	Morrow	Steagall
Cook	Guthrie	Nettles	Sullivan
Copeland	Hankins	Nichols	Taylor
Cornett	Harris	Oakley	Thomas
Daniel	Hawkins	Oden	Turner
Dickson	Hearn	Perry	

—75

Nays:

Messrs.	Callahan	Martin	Solomon
Avery	Casey	Murphy	Torbert
Bevill	Engel	Ramey	Trimmier
Brannan	Hanby	Roberts	Vickers
Cabiness	McCorquodale	Salter	

—18

On motion of Mr. Goodwyn the motion of Mr. Oden to postpone further consideration of the bill, H. 179, as amended, until the twenty-sixth legislative day was laid upon the table.

Yeas 62; Nays 30.

Yeas:

Mr. Speaker	Dickson	Hawkins	Pruitt
Adams	Dodd	Hearn	Ramey
Avery	Edwards	Jenkins	Rast
Bailey	Engel	Jones (Covington)	Reynolds (Madison)
Bassett	Faulk	Locke	Rozelle
Bishop	Franklin	Long (Perry)	Self
Boyd	Gilchrist	McCorquodale	Sessions
Brannan	Gilmer	McLendon (Bullock)	Shumate
Branyon	Goldthwaite	Martin	Steagall
Brewer	Goodwyn	Meade	Sullivan
Britton	Gordon	Morrow	Taylor
Brooks	Grant	Murphy	Trimmier
Callahan	Gross	Perry	Turner
Casey	Hanby	Phillips	Turnham
Cook	Hankins	Pierce	Vickers
Cornett	Harris		

—62

Nays:

Messrs.	Dunn	Long (Lauderdale)	Ray
Albea	Ferguson	McClendon (Chambers)	Roberts
Barnett	Grouby	Merrill	Rogers
Broadfoot	Guthrie	Nettles	Salter
Cabiness	Ingram	Nichols	Smith (St. Clair)
Camp	Johnson (Hardaway)	Oakley	Speaks
Copeland	Johnson (J. T. Tom)	Oden	Torbert
Daniel	Johnston (Leonard)	Powell	

—30

The motion of Mr. Harris to indefinitely postpone the bill, H. 179, as amended, was lost.

Yeas 27; Nays 68.

Yeas:

Messrs.	Cook	Johnson (Hardaway)	Merrill
Albea	Copeland	Johnson (J. T. Tom)	Nettles
Avery	Daniel	Johnston (Leonard)	Oakley
Barnett	Gordon	Jones (Covington)	Powell
Broadfoot	Grant	Long (Lauderdale)	Ramey
Cabiness	Harris	McClendon (Chambers)	Salter
Camp	Ingram	Martin	Speaks

—27

Nays:

Mr. Speaker	Dunn	Hawkins	Rast
Adams	Edwards	Hearn	Ray
Bailey	Engel	Jenkins	Reynolds (Madison)
Bevill	Faulk	Lee	Roberts
Bishop	Ferguson	Locke	Rogers
Boyd	Franklin	Long (Perry)	Rozelle
Brannan	Gilchrist	McCorquodale	Self
Branyon	Gilmer	McLendon (Bullock)	Sessions
Brewer	Goldthwaite	Meade	Shumate
Britton	Goodwyn	Morrow	Smith (Russell)
Brooks	Gross	Murphy	Smith (St. Clair)
Callahan	Grouby	Nichols	Steagall
Casey	Guthrie	Owens	Sullivan
Cates	Hain	Perry	Taylor
Cornett	Hanby	Phillips	Trimmier
Dickson	Hankins	Pierce	Turner
Dodd	Hardy	Pruitt	Vickers

—68

And said bill, H. 179, as amended, was then read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 57; Nays 38.

Yeas:

Mr. Speaker	Bevill	Branyon	Callahan
Adams	Bishop	Brewer	Cates
Bailey	Boyd	Brooks	Dickson

Dodd	Grouby	Meade	Roberts
Dunn	Guthrie	Morrow	Rogers
Edwards	Hankins	Murphy	Rozelle
Engel	Hawkins	Nichols	Self
Faulk	Hearn	Perry	Sessions
Franklin	Johnson (J. T. Tom)	Phillips	Shumate
Gilchrist	Lee	Pierce	Sullivan
Gilmer	Locke	Pruitt	Taylor
Glass	Long (Perry)	Rast	Trimmier
Goldthwaite	McCorquodale	Ray	Turner
Goodwyn	McLendon (Bullock)	Reynolds (Madison)	Vickers
Gross			

—57

Nays:

Messrs.	Cook	Johnson (Hardaway)	Owens
Albea	Copeland	Johnston (Leonard)	Powell
Avery	Cornett	Jones (Covington)	Ramey
Barnett	Daniel	Long (Lauderdale)	Salter
Bassett	Ferguson	McClendon (Chambers)	Smith (Russell)
Brannan	Grant	Martin	Smith (St. Clair)
Broadfoot	Hanby	Merrill	Speaks
Cabiness	Harris	Nettles	Steagall
Camp	Ingram	Oakley	Torbert
Casey	Jenkins	Oden	

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H. 69, AS AMENDED, POSTPONED

On motion of Mr. Hain, further consideration of the bill, H. 69, as amended, was postponed until the next legislative day.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Ingram to suspend the rules in order to introduce a bill out of order was adopted.

INTRODUCTION OF BILL

The following bill was introduced, read a first time at length as required by the Constitution, and referred to appropriate standing committee, as follows:

By Mr. Ingram:

H. 1224. Proposing an amendment to the Constitution of Alabama relative to levying special school taxes in Clay County.

Local Legislation No. 1.

BILLS ON THIRD READING RESUMED

SPECIAL ORDER

The House again proceeded to the consideration of the special order.
And the bill:

H. 201. To provide for partial refund of the gasoline excise tax levied on aviation fuel pursuant to Section 647, Title 51, Code of Alabama 1940, as amended; to establish procedures and requirements governing the application for and payment of the aviation fuel refund; to fix certain penalties for violation of the terms of this Act and the rules and regulations established thereunder; and to declare the relationship of this Act to other provisions of Title 51, Code of Alabama 1940, as amended.

Was again taken up.

Mr. Cornett offered the following amendment to the bill, H. 201:

Amend H. B. 201 by striking therefrom Section 9 in its entirety and substituting in lieu thereof the following:

"Section 9. Relationship of this Act to other Code Provisions. No provision of Section 648 of Title 51, Code of Alabama 1940, as amended, relating to the basis for collection and payment of the tax, shall be construed to affect in any manner or degree the right of any retail dealer or aircraft operation to receive any refund of the state excise tax on gasoline, motor fuel, or any substitute therefor, sold, purchased and used for aviation fuel, as herein provided for."

Further amend H. B. 201 by striking Section 12 as it now appears in said bill and substituting in lieu thereof the following:

"Section 12. Effective Date. This Act shall become effective on the first day of the second month following its passage and approval by the Governor or its otherwise becoming law."

And the amendment was adopted.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Dodd	Ingram	Ramey
Adams	Dunn	Jenkins	Rast
Albea	Edwards	Johnson (Hardaway)	Ray
Avery	Faulk	Johnson (J. T. Tom)	Reynolds (Madison)
Bailey	Ferguson	Jones (Corvington)	Roberts
Barnett	Franklin	Lee	Rogers
Bassett	Gilchrist	Locke	Rozelle
Bevill	Gilmer	Long (Perry)	Self
Bishop	Goldthwaite	McClendon (Chambers)	Sessions
Boyd	Gordon	McCorquodale	Smith (Russell)
Brannan	Grant	McLendon (Bullock)	Smith (St. Clair)
Brewer	Gross	Martin	Solomon
Britton	Grouby	Merrill	Speaks
Brooks	Guthrie	Morrow	Steagall
Cabiness	Hain	Murphy	Sullivan
Camp	Hanby	Nettles	Thomas
Casey	Hankins	Oakley	Torbert
Cates	Hardy	Oden	Trimmier
Cook	Harris	Perry	Turner
Copeland	Harvey	Pierce	Turnham
Cornett	Hawkins	Powell	Vickers
Daniel	Hearn		

Mr. Cornett offered the following amendment to the bill, H. 201, as amended:

Amendment to H. B. 201:

In Section 12, add at the end thereof the following:

The Act shall terminate and expire, however, at midnight October 30, 1966, unless the Governor in the meantime determines, and so proclaims by executive order, that the aggregate principal amount of aviation fuel tax collections during the five fiscal years immediately preceding the fiscal year beginning October 1, 1966, exclusive of taxes refunded under this Act, have equalled or exceeded the sum of \$800,000.

And the amendment was adopted.

Yeas 84; Nays 3.

Yeas:

Mr. Speaker	Cornett	Harris	Powell
Adams	Dickson	Harvey	Pruitt
Albea	Dodd	Hawkins	Rast
Avery	Dunn	Hearn	Ray
Bailey	Edwards	Ingram	Reynolds (Madison)
Barnett	Faulk	Jenkins	Rogers
Bassett	Ferguson	Johnson (J. T. Tom)	Rozelle
Bevill	Franklin	Johnston (Leonard)	Self
Bishop	Gilchrist	Lee	Sessions
Boyd	Gilmer	Locke	Shumate
Brannan	Goldthwaite	Long (Perry)	Smith (Russell)
Brewer	Goodwyn	McClendon (Chambers)	Solomon
Britton	Gordon	McCorquodale	Speaks
Broadfoot	Grant	Meade	Steagall
Brooks	Gross	Merrill	Sullivan
Cabiness	Grouby	Morrow	Thomas
Camp	Guthrie	Murphy	Torbert
Casey	Hain	Nettles	Trimmier
Cates	Hanby	Oakley	Turner
Cook	Hankins	Perry	Turnham
Copeland	Hardy	Pierce	Vickers

—84

Nays:

Messrs.	Branyon	Martin	Oden
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—3

Mr. Taylor offered the following amendment to the bill, H. 201, as amended:

Amendment to H. B. 201:

In Section 3, strike out the words and figures "one cent (1c) per gallon" wherever they appear therein and insert "four cents per gallon";

Also, in Section 4, strike out the words and figures "less one cent (1c) per gallon" and insert "less four cents per gallon".

On motion of Mr. Cornett the amendment offered by Mr. Taylor was laid upon the table.

Yeas 66; Nays 29.

Yeas:

Messrs.	Cornett	Hearn	Ramey
Adams	Dunn	Ingram	Rast
Avery	Edwards	Lee	Reynolds (Madison)
Bailey	Engel	Locke	Roberts
Bassett	Ferguson	Long (Lauderdale)	Self
Bevill	Franklin	McCorquodale	Sessions
Bishop	Gilchrist	Meade	Shumate
Boyd	Gilmer	Merrill	Smith (Russell)
Branyon	Goldthwaite	Morrow	Smith (St. Clair)
Brewer	Goodwyn	Murphy	Solomon
Britton	Grant	Nettles	Sullivan
Broadfoot	Hain	Nichols	Thomas
Cabiness	Hanby	Oakley	Torbert
Camp	Hankins	Perry	Trimmier
Casey	Hardy	Phillips	Turner
Cates	Harvey	Pierce	Turnham
Copeland	Hawkins	Powell	

—66

Nays:

Mr. Speaker	Glass	Johnston (Leonard)	Rogers
Albea	Gordon	Jones (Covington)	Rozelle
Barnett	Gross	Long (Perry)	Salter
Brannan	Grouby	Martin	Speaks
Brooks	Harris	Owens	Steagall
Cook	Johnson (Hardaway)	Pruitt	Taylor
Dickson	Johnson (J. T. Tom)	Ray	Vickers
Dodd			

—29

On motion of Mr. Cornett the motion of Mr. Hankins to postpone further consideration of the bill, H. 201, as amended, until the thirty-fifth legislative day was laid upon the table.

Yeas 49; Nays 46.

Yeas:

Messrs.	Ferguson	Lee	Rast
Adams	Franklin	Locke	Reynolds (Madison)
Bailey	Gilchrist	McClendon (Chambers)	Roberts
Brannan	Gilmer	McCorquodale	Rogers
Brewer	Goldthwaite	Merrill	Self
Cabiness	Goodwyn	Morrow	Sessions
Casey	Grant	Murphy	Smith (Russell)
Copeland	Hain	Nettles	Solomon
Cornett	Hanby	Nichols	Thomas
Daniel	Hardy	Oakley	Torbert
Dunn	Harvey	Perry	Trimmier
Edwards	Hawkins	Pierce	Turner
Engel	Jenkins		

—49

Nays:

Messrs.	Casey	Johnson (Hardaway)	Ray
Albea	Cook	Johnson (J. T. Tom)	Rozelle
Avery	Dickson	Johnston (Leonard)	Salter
Barnett	Dodd	Jones (Covington)	Shumate
Bassett	Faulk	Long (Lauderdale)	Smith (St. Clair)
Bevill	Gordon	Long (Perry)	Steagall
Bishop	Grouby	Martin	Speaks
Branyon	Guthrie	Meade	Sullivan
Broadfoot	Hankins	Oden	Taylor
Brooks	Harris	Powell	Turnham
Callahan	Hearn	Pruitt	Vickers
Camp	Ingram	Ramey	

—46

Mr. Martin offered the following amendment to the bill, H. 201, as amended:

Amendment to H. B. 201:

In Section 3, strike out the first sentence and insert in lieu thereof the following:

After the sum of \$450,000 shall have been accumulated in the Airports Development Fund in the state treasury for expenditure in each fiscal year, any retail dealer who shall sell, or any aircraft operator who shall purchase, gasoline, motor fuel, or any substitute therefor, for use as aviation fuel, no part of which is used in any way other than to propel aircraft, shall be entitled to a refund of all but one cent (1c) per gallon less than the amount of the state excise tax paid by the retail dealer or aircraft operator on gasoline, motor fuel, or any substitute therefor, so paid, purchased and used, the intention being that the tax retained by the state, after refunds are made as provided in Sections 4 and 5 of this Act, shall be one cent (1c) per gallon.

The motion of Mr. Cornett to lay on the table the amendment offered by Mr. Martin was lost.

Yeas 46; Nays 49.

Yeas:

Messrs.	Dunn	Hardy	Pierce
Adams	Edwards	Hawkins	Rast
Bailey	Engel	Lee	Reynolds (Madison)
Bassett	Ferguson	Locke	Roberts
Bevill	Franklin	McCorquodale	Self
Boyd	Gilchrist	Merrill	Sessions
Brannan	Gilmer	Morrow	Smith (Russell)
Brewer	Goldthwaite	Murphy	Thomas
Cabiness	Goodwyn	Nettles	Torbert
Cates	Grant	Nichols	Trimmier
Copeland	Hain	Oakley	Turner
Cornett	Hanby	Perry	

—46

Nays:

Mr. Speaker	Dodd	Johnson (J. T. Tom)	Rogers
Albea	Faulk	Johnston (Leonard)	Rozelle
Avery	Gordon	Long (Perry)	Salter
Barnett	Gross	McClendon (Chambers)	Shumate
Bishop	Grouby	Martin	Smith (St. Clair)
Branyon	Guthrie	Oden	Solomon
Brooks	Hankins	Owens	Speaks
Callahan	Harris	Phillips	Steagall
Camp	Harvey	Powell	Sullivan
Casey	Hearn	Pruitt	Taylor
Chambers	Ingram	Ramey	Turnham
Cook	Johnson (Hardaway)	Ray	Vickers
Dickson			

—49

The question was on the adoption of the amendment offered by Mr. Martin to the bill, H. 201, as amended, and said amendment was adopted.

Yeas 48; Nays 46.

Yeas:

Mr. Speaker	Cook	Ingram	Ramey
Albea	Dickson	Johnson (Hardaway)	Ray
Avery	Dodd	Johnson (J. T. Tom)	Rogers
Barnett	Faulk	Johnston (Leonard)	Rozelle
Bevill	Gordon	Jones (Covington)	Shumate
Bishop	Gross	Long (Perry)	Smith (St. Clair)
Branyon	Grouby	McClendon (Chambers)	Speaks
Broadfoot	Guthrie	Martin	Steagall
Brooks	Hankins	Meade	Sullivan
Callahan	Harris	Oden	Taylor
Camp	Harvey	Powell	Turnham
Casey	Hearn	Pruitt	Vickers

—48

Nays:

Messrs.	Edwards	Hawkins	Reynolds (Madison)
Adams	Engel	Lee	Roberts
Bailey	Ferguson	McCorquodale	Salter
Boyd	Franklin	Merrill	Self
Brannan	Gilchrist	Morrow	Sessions
Brewer	Gilmer	Murphy	Smith (Russell)
Cabiness	Goldthwaite	Nettles	Solomon
Cates	Goodwyn	Nichols	Thomas
Chambers	Grant	Oakley	Torbert
Copeland	Hain	Perry	Trimmier
Cornett	Hanby	Pierce	Turner
Dunn	Hardy	Rast	

—46

Mr. Self offered the following amendment to the bill, H. 201, as amended:

In Section 3, strike out the words and figures "one cent (1c) per gallon" wherever such words and figures appear therein and insert in lieu thereof the words "six and one-half cents per gallon";

Also, in Section 4, strike out the words and figures "less one cent (1c) per gallon" and insert the word "six and one-half cents per gallon";

Also, in Section 5, add the following sentence:

The balance of the proceeds of such tax shall be paid into the Alabama Special Educational Trust Fund and shall be divided equally by the state comptroller among the 67 counties of the state for educational purposes.

On motion of Mr. Cornett the amendment offered by Mr. Self was laid upon the table.

Yeas 65; Nays 30.

Yeas:

Messrs.	Dickson	Ingram	Powell
Avery	Dunn	Johnson (Hardaway)	Ramey
Bailey	Edwards	Jones (Covington)	Rast
Barnett	Engel	Lee	Reynolds (Madison)
Bishop	Ferguson	Locke	Roberts
Boyd	Franklin	Long (Perry)	Rogers
Brannan	Gilchrist	Martin	Sessions
Brewer	Gilmer	Meade	Smith (Russell)
Brooks	Goldthwaite	Merrill	Solomon
Callahan	Goodwyn	Morrow	Sullivan
Casey	Grant	Murphy	Thomas
Cates	Gross	Nettles	Torbert
Chambers	Grouby	Nichols	Trimmier
Cook	Hanby	Owens	Turner
Copeland	Hankins	Perry	Turnham
Cornett	Hardy	Pierce	Vickers
Daniel	Hawkins		

—65

Nays:

Messrs.	Cabiness	Johnson (J. T. Tom)	Salter
Adams	Camp	Johnston (Leonard)	Self
Albea	Dodd	McClendon (Chambers)	Shumate
Bassett	Guthrie	Oakley	Smith (St. Clair)
Bevill	Harris	Oden	Speaks
Branyon	Harvey	Pruitt	Steagall
Britton	Hearn	Ray	Taylor
Broadfoot	Jenkins	Rozelle	

—30

On motion of Mr. Casey, the bill, H. 201, as amended, was indefinitely postponed.

Yeas 50; Nays 45.

Yeas:

Messrs.	Bassett	Branyon	Camp
Albea	Bevill	Broadfoot	Casey
Avery	Bishop	Brooks	Cook
Barnett	Brannan	Callahan	Dickson

Dodd	Ingram	Meade	Salter
Faulk	Johnson (Hardaway)	Nichols	Self
Gordon	Johnson (J. T. Tom)	Oden	Shumate
Gross	Johnston (Leonard)	Owens	Speaks
Grouby	Jones (Covington)	Powell	Steagall
Guthrie	Lee	Pruitt	Sullivan
Hankins	Long (Perry)	Ramey	Taylor
Harris	McClendon (Chambers)	Ray	Turnham
Hearn	Martin	Rozelle	

—50

Nays:

Mr. Speaker	Ferguson	Hawkins	Rast
Adams	Franklin	Jenkins	Reynolds (Madison)
Bailey	Gilchrist	Locke	Roberts
Boyd	Gilmer	McCorquodale	Rogers
Brewer	Goldthwaite	Merrill	Sessions
Cabiness	Goodwyn	Morrow	Smith (St. Clair)
Cates	Grant	Murphy	Solomon
Chambers	Hain	Nettles	Thomas
Cornett	Hanby	Oakley	Torbert
Daniel	Hardy	Perry	Trimmier
Edwards	Harvey	Pierce	Turner
Engel			

—45

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Roberts to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 906, was adopted.

Yeas 88; Nays 8.

Yeas:

Mr. Speaker	Cook	Hawkins	Pruitt
Adams	Copeland	Hearn	Rast
Albca	Cornett	Ingram	Ray
Avery	Daniel	Jenkins	Reynolds (Madison)
Bailey	Dickson	Johnson (Hardaway)	Roberts
Barnett	Dodd	Johnson (J. T. Tom)	Rogers
Bassett	Dum	Johnston (Leonard)	Rozelle
Bevill	Edwards	Jones (Covington)	Self
Bishop	Faulk	Locke	Sessions
Boyd	Ferguson	Long (Lauderdale)	Shumate
Brannan	Gilchrist	McClendon (Chambers)	Smith (Russell)
Branyon	Glass	McLendon (Bullock)	Smith (St. Clair)
Brewer	Goodwyn	Meade	Solomon
Britton	Gordon	Merrill	Speaks
Broadfoot	Grant	Morrow	Steagall
Brooks	Gross	Murphy	Sullivan
Cabiness	Grouby	Nettles	Thomas
Callahan	Guthrie	Nichols	Torbert
Camp	Hanby	Oden	Trimmier
Casey	Hankins	Perry	Turner
Cates	Harris	Pierce	Turnham
Chambers	Harvey	Powell	Vickers

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Nays:

Messrs.	Lee	Martin	Ramey
Gilmer	Long (Perry)	Oakley	Taylor
Hardy			

—8

And the bill:

H. 906. To propose an amendment to the Constitution of Alabama authorizing and providing for the issuance of not more than three million dollars in principal amount of general obligation bonds of the State of Alabama for building, construction and improvement purposes at the University of Alabama Research Institute at Huntsville.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Dickson	Ingram	Pruitt
Adams	Dodd	Jenkins	Ramey
Albea	Dunn	Johnson (Hawdaway)	Rast
Avery	Edwards	Johnson (J. T. Tom)	Ray
Bailey	Engel	Johnston (Leonard)	Reynolds (Madison)
Barnett	Faulk	Jones (Covington)	Roberts
Bassett	Ferguson	Locke	Rogers
Bevill	Gilchrist	Long (Lauderdale)	Rozelle
Bishop	Gilmer	Long (Perry)	Salter
Boyd	Glass	McClendon (Chambers)	Self
Brannan	Goldthwaite	McCorquodale	Sessions
Branyon	Goodwyn	McLendon (Bullock)	Shumate
Brewer	Gordon	Martin	Smith (Russell)
Britton	Grant	Meade	Smith (St. Clair)
Broadfoot	Gross	Merrill	Solomon
Brooks	Grouby	Morrow	Speaks
Cabiness	Guthrie	Murphy	Steagall
Callahan	Hain	Nettles	Sullivan
Camp	Hanby	Nichols	Taylor
Casey	Hankins	Oakley	Thomas
Cates	Hardy	Oden	Torbert
Chambers	Harris	Perry	Trimmier
Cook	Harvey	Phillips	Turner
Copeland	Hawkins	Pierce	Turnham
Cornett	Hearn	Powell	Vickers
Daniel			

—101

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Perry to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 689, was adopted.

And the bill:

H. 689. (with substitute). To provide old age assistance for certain retired teachers.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Ways and Means, said committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To provide for monthly retirement pensions for certain teachers employed at the Alabama Vocational School for Girls.

Whereas, on September 1, 1941, Alma L. Bachman and Beulah B. Carr were enrolled as members of the Teachers' Retirement System under the impression by the Retirement office that the Alabama Vocational School for Girls was a public institution since it was supported by State funds, and

Whereas, in 1956, it was discovered that the Alabama Vocational Schools for Girls was not a public institution and the teachers' contributions to the Retirement System could not be accepted by the Retirement office, and

Whereas, each of these members had been teachers in the public schools of Alabama before securing employment at the Alabama Vocational School for Girls and had contributed for a period of sixteen (16) years as active members to the Teachers' Retirement System, and

Whereas, each of these teachers have now attained the permissible retirement age of sixty (60) and have completed more than thirty-five (35) years of service as teachers in Alabama,

Now Therefore:

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby provided a monthly retirement pension of \$68.75 to each of the above named teachers of the Alabama Vocational School for Girls to be paid from the appropriation made for special pensions from the Alabama Special Educational Trust Fund to be paid in the same manner as other beneficiaries receiving monthly benefits under Act No. 116 approved August 24, 1959. This monthly pension allowance to begin upon termination of the above named teachers from their teaching positions with the Alabama Vocational School for Girls and upon application made to the Secretary-Treasurer of the Teachers' Retirement System of Alabama.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Daniel	Hearn	Phillips
Adams	Dickson	Ingram	Pierce
Albea	Dodd	Jenkins	Powell
Bailey	Dunn	Johnson (Hardaway)	Pruitt
Barnett	Edwards	Johnson (J. T. Tom)	Ramey
Bassett	Engel	Johnston (Leonard)	Rast
Bevill	Faulk	Jones (Covington)	Ray
Bishop	Ferguson	Lee	Reynolds (Madison)
Boyd	Gilchrist	Locke	Rogers
Brannan	Gilmer	Long (Lauderdale)	Rozelle
Branyon	Glass	Long (Perry)	Salter
Brewer	Goodwyn	McClendon (Chambers)	Self
Britton	Gordon	McCorquodale	Sessions
Broadfoot	Grant	McLendon (Bullock)	Shumate
Brooks	Gross	Martin	Smith (St. Clair)
Cabiness	Grouby	Meade	Solomon
Callahan	Guthrie	Merrill	Speaks
Camp	Hain	Morrow	Steagall
Casey	Hanby	Murphy	Sullivan
Cates	Hankins	Nettles	Taylor
Chambers	Hardy	Nichols	Trimmier
Cook	Harris	Oakley	Turner
Copeland	Harvey	Owens	Turnham
Cornett	Hawkins	Perry	Vickers

—96

And said bill, H. 689, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; *Nays* 0.

Yeas:

Mr. Speaker	Daniel	Ingram	Powell
Adams	Dodd	Johnson (Hardaway)	Pruitt
Albea	Dunn	Johnson (J. T. Tom)	Ramey
Bailey	Edwards	Johnston (Leonard)	Rast
Barnett	Engel	Jones (Covington)	Ray
Bassett	Faulk	Locke	Reynolds (Madison)
Bevill	Ferguson	Long (Lauderdale)	Roberts
Bishop	Gilchrist	Long (Perry)	Rogers
Boyd	Gilmer	McClendon (Chambers)	Rozelle
Brannan	Glass	McCorquodale	Salter
Branyon	Gordon	McLendon (Bullock)	Self
Brewer	Grant	Martin	Sessions
Britton	Gross	Meade	Shumate
Broadfoot	Grouby	Merrill	Smith (St. Clair)
Brooks	Guthrie	Morrow	Solomon
Cabiness	Hain	Murphy	Speaks
Callahan	Hanby	Nettles	Steagall
Camp	Hankins	Nichols	Sullivan
Casey	Hardy	Oakley	Taylor
Cates	Harris	Owens	Trimmier
Chambers	Harvey	Perry	Turnham
Cook	Hawkins	Phillips	Vickers
Copeland	Hearn	Pierce	

—91

SPECIAL ORDER

The House again proceeded to the consideration of the special order.

BILLS POSTPONED

On motion of Mr. Pruitt, further consideration of the bills, H. 310 and H. 311, was postponed until the next legislative day.

And the bill:

H. 796. (with amendment): To amend further Code of Alabama 1940, Title 7, Section 500 in relation to bill of costs to accompany the execution.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

H. B. 796 is hereby amended by striking therefrom, wherever same appears, the words "Section 500", and inserting in lieu thereof the words "Section 509"

And the amendment was adopted.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Dickson	Ingram	Powell
Adams	Dodd	Johnson (Hardaway)	Pruitt
Albee	Dunn	Johnson (J. T. Tom)	Ramey
Barnett	Edwards	Johnston (Leonard)	Rast
Bassett	Engel	Jones (Covington)	Reynolds (Madison)
Bevill	Faulk	Lee	Roberts
Bishop	Ferguson	Locke	Rogers
Boyd	Gilmer	Long (Perry)	Rozelle
Brannan	Glass	McClendon (Chambers)	Salter
Branyon	Gordon	McCorquodale	Self
Brewer	Grant	McLendon (Bullock)	Sessions
Britton	Gross	Martin	Shumate
Broadfoot	Grouby	Meade	Smith (St. Clair)
Brooks	Guthrie	Murphy	Solomon
Cabiness	Hain	Nettles	Speaks
Casey	Hanby	Nichols	Steagall
Chambers	Hankins	Oakley	Sullivan
Cook	Hardy	Owens	Taylor
Copeland	Hawkins	Phillips	Turner
Cornett	Hearn	Pierce	Vickers
Daniel			

—81

And said bill, H. 796, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 1.

Yeas:

Mr. Speaker	Copeland	Harvey	Phillips
Adams	Daniel	Hawkins	Pierce
Albea	Dickson	Hearn	Powell
Bailey	Dunn	Johnson (Hardaway)	Pruitt
Barnett	Edwards	Johnson (J. T. Tom)	Ramey
Bassett	Engel	Johnston (Leonard)	Rast
Bevill	Faulk	Jones (Covington)	Reynolds (Madison)
Bishop	Ferguson	Lee	Roberts
Boyd	Gilmer	Locke	Rogers
Brannan	Glass	Long (Perry)	Self
Branyon	Goldthwaite	McClendon (Chambers)	Sessions
Brewer	Goodwyn	McCorquodale	Shumate
Britton	Gordon	McLendon (Bullock)	Smith (St. Clair)
Broadfoot	Grant	Martin	Solomon
Brooks	Grouby	Meade	Speaks
Cabiness	Guthrie	Murphy	Steagall
Camp	Hain	Nettles	Taylor
Casey	Hanby	Nichols	Turnham
Chambers	Hankins	Oakley	Vickers
Cook	Hardy	Owens	

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*Nay:***Mr. Cates**

—1

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Dickson to suspend the rules in order to allow the Standing Committees to report out of order was adopted.

BILLS ON SECOND READING

Mr. Smith (Russell), Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 727. To amend Section 456 of Title 51, Code of Alabama 1940, which prescribes the license fees for advertising companies.

H. 1161. To make an additional appropriation for payment of expenses of the Legislature.

Mr. Goodwyn, Vice-Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 748. To amend Code of Alabama 1940, Title 14, Section 334, which defines the offense of petit larceny and prescribes the punishment therefor.

Mr. Gilchrist, Chairman of the Standing Committee on Judiciary, re-

ported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 1143. (with substitute): To amend further Title 34, Sections 27, 29, and 38, Code of Alabama, 1940, all of which relate to divorce suits.

Mr. Gilchrist, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 137. To provide insulation from liability to banks, brokers, issuers, third parties and transfer agents who handle securities and security transactions with minors, unless such bank, broker, issuer, third party or transfer agent has written notice of minority prior to such transaction; to authorize payment of dividends on stock and other moneys to minors; and to prevent disaffirmance or avoidance of certain security transactions by a minor.

S. 138. To permit executors, administrators and trustees to acquire, hold and dispose of interests in partnerships and to form new partnerships, both general and limited, in a fiduciary capacity, and to limit the liability of such executors, administrators, and trustees so acting to the assets of such estate or trust.

S. 139. To establish the validity of bequests and devises made by will to the trustee or trustees of an existing trust.

S. 140. To amend Section 5 of Act No. 247, S. 69, approved July 29, 1953 (Acts of Alabama, 1953, p. 311) entitled "An Act relating to banks and banking; to provide for the retention and disposition of bank records, and for other purposes," as previously amended by Act No. 638, H. 713, approved November 19, 1959 (Acts of Alabama, 1959, p. 1554), in order to clarify said Act, as amended, so that it will be clear that the books and records referred to in Section 2 of said Act, as amended, may be reproduced and the originals destroyed in the same manner as in the case of other books and records.

S. 141. To amend Section 1 of Act No. 306, H. 253, approved July 7th, 1945 (General Acts of Alabama, 1945, page 499) entitled "An Act to relieve from the operation of any existing laws against perpetuities or suspension of the power of alienation of title to property a trust of real or personal property created by an employer as a part of the stock bonus plan, pension plan, disability or death benefit plan, or profit sharing plan for the exclusive benefit of some or all of the employer's employees" by further relieving such trusts from the operation of any existing laws against trusts for the accumulation of income, and by extending the coverage of said Act, as amended, to retirement trusts created by self-employed persons, and to trusts created for the collective investment of the funds of any trusts within the coverage of this Act, as amended.

S. 142. Providing that the designation of beneficiaries of any trust set up for any group of employees shall be valid and that any trustee or other person may properly make payments to any person designated as a beneficiary of such a trust.

S. 143. Relating to the registration and transfer of securities by fiduciaries, and defining and limiting liability with respect thereto, and to make uniform the law with reference thereto, and to repeal Section 3 of Act 557, S. 174, approved July 7, 1943 (General Acts of Alabama, 1943, page 544) known as the Uniform Fiduciaries Act.

S. 248. To regulate sentence to hard labor for nonpayment of costs; amending Section 342 of Title 15, and Section 84 of Title 45, Code of Alabama 1940, in relation to the per diem rate of working out costs.

S. 39. To amend Section 8, Title 27, Code of Alabama 1940, relating to penalty for violation of provisions of adoption statute.

S. 213. To amend further Section 89, Title 36, Code of Alabama 1940, which limits the size and weight of motor vehicles and loads.

H. 1213. To provide for the transfer of cases to a proper court when a trial court sustains a plea in abatement as to venue.

H. 1212. Relating to Patents to Public Lands.

H. 1214. To amend Section 123 of Title 7 of the 1940 Code of Alabama, relating to actions for wrongful act, omission, or negligence causing death.

H. 1201. To amend Act No. 130, S. 164, Regular Session 1951, an act conferring additional powers on circuit solicitors and other solicitors, in relation to the applicability of such act to certain counties.

Mr. Harvey, Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 111. (with substitute). To provide further for payment of compensation to county superintendents of education.

Mr. Harvey, Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1106. Relating to vocational trade schools; authorizing, directing, and requiring the state board of education to provide for the establishment, maintenance and operation of a trade school for negroes at Gadsden.

H. 1150. To authorize the state board of education and trustees of state institutions to purchase certain liability insurance.

Mr. Solomon, Chairman of the Standing Committee on Agriculture, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1099. To amend further Act No. 46, H. 36, Legislature of 1955, Second Special Session, which regulates the sale of eggs and provides for the inspection and grading thereof by amending Sections 1, 6, 7, 8, 11, 12 and 13 of said Act.

Mr. Cornett, Chairman of the Standing Committee on Conservation, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 374. To authorize the Director of Conservation to designate employees of the Department of Conservation to enforce all laws, rules and regulations pertaining to the Department of Conservation.

H. 1130. To amend Section 155, Title 8, Code of Alabama 1940, which requires licenses for certain shrimp catchers' boats, so as to reduce the license fee for certain size boats.

H. 1131. To amend Section 3 of Act No. 632, page 1538, Acts of Alabama 1959, Regular Session, entitled "An Act Relating to seafoods; providing for owners of private oyster reefs, beds or bottoms, or lessees thereof, to use mechanical devices, including mechanical rake dredges, at any time, to cultivate and harvest or to remove their live oysters, under certain prescribed conditions."

H. 1138. To amend further Section 2 of an Act approved July 7, 1943 (Act No. 587, S. 117, General Acts 1943, p. 590) making it unlawful to use or have in possession for use seines, trawls, or other fishing devices of a size of mesh contrary to the rules and regulations of the Department of Conservation, for the purpose of catching salt water fish or seafoods or minnows or other baits, etc.

H. 1139. To amend Title 8, Section 132, Code of Alabama, which relates to the taking of seed oysters; to impose additional duties upon the Director of the Department of Conservation.

Mr. Cornett, Chairman of the Standing Committee on Conservation, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 1147. (with amendment). To amend Section 4 of Act No. 784, page 1069, Acts of Alabama, 1953 Regular Session, approved September 19, 1953, entitled, "An Act To provide that commercial fishing gear, which shall include commercial gear for the taking of fresh water mussels, may be used in commercial fishing in the public fresh waters of this State and to provide that the Department of Conservation may prescribe rules for and when, where and how the same may be used. To provide for licenses and the issuance thereof permitting the use of such commercial fishing gear. To provide licenses for wholesale and retail dealers of fresh water non-game fish. To provide for the issuance of such licenses and the disposition of the revenue derived therefrom. To provide for the seizure and confiscation of commercial fishing gear used in violation of the terms of this Act. To provide for a penalty for the violations of any provision of this Act and to provide for the disposition of the license fees and the fines accruing from violations of this Act. To repeal Sections 70, 71, 72, 74 and 77 of

Title 8, Code of Alabama 1940, and to repeal Act No. 263, 1945 General Acts of Alabama, page 407, approved July 7, 1945, which relates to commercial fishing gear to be used in public fresh waters of this State and the licensing of such gear. To repeal Section 73 of Title 8, Code of Alabama 1940, as amended by Act No. 556, 1943 General Acts of Alabama, page 543, approved July 10, 1943, and by Act No. 306, 1947 General Acts of Alabama, page 163, approved August 14, 1947."

Mr. Ferguson, Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 306. Proposing an amendment to the Constitution of Alabama in relation to the rotation of residence of state senators in senatorial districts composed of two or more counties.

The above bill was read a second time at length as required by the Constitution.

Mr. Grouby, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 92. To validate in certain cases elections heretofore held in municipalities or counties on the question of the issuance of bonds.

S. 133. To provide for and regulate elections in the cities and towns of 300,000 population or less which have a commission form of government: designating the date for regular elections, and authorizing the board of commissioners to call special elections; prescribing the manner of giving notice of municipal elections, of designating voting places, and of appointing and compensating election officers; providing for the preparation of ballots and voting machines for such elections; prescribing the manner of casting ballots, counting the votes, and making returns of elections; providing for absentee voting at such elections; providing for and requiring a second or run-off election whenever no candidate receives a majority of the votes cast; designating certain acts and omissions relative to municipal elections as offenses and prescribing penalties therefor; prescribing the grounds on which such elections may be contested and the procedure for contests thereof; and providing that the costs of municipal elections shall be paid by the city or town holding such elections.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 949. For the relief of A. L. Gordon; authorizing the board of revenue, court of county commissioners, or other like governing body of Lawrence County to appropriate county funds for that purpose.

H. 953. To propose an amendment to the Constitution of Alabama relating to the levy and collection of special property taxes for public

school capital outlay purposes in the County of Mobile, in the State of Alabama.

The above bill was read a second time at length as required by the Constitution.

H. 1057. To direct and require the commissioner of revenue and the state department of revenue to collect any sales and use taxes now or hereafter levied in the town of Berry, Fayette County, under the provisions of any ordinance or resolution duly promulgated and adopted by the governing body of said town; to prescribe the powers, duties, and authority of the commissioner of revenue, the state department of revenue, and the comptroller with respect to the method or procedure for collecting such taxes and remitting the proceeds thereof.

H. 1058. To provide further for the compensation of the members of the county governing body in all counties having a population of not less than 24,600 nor more than 25,300, according to the last or any subsequent federal decennial census.

H. 1059. To provide for the relief of Charlie Day; authorizing an appropriation from the funds of Barbour County for such purpose.

H. 1060. To repeal Act No. 256, S. 318, approved July 19, 1951, entitled "An Act Authorizing the governing body of any county having a population of not less than 28,000, and not more than 42,000 inhabitants and two courthouses, and the county governing body of such county is a board of revenue, to authorize the circuit clerk to appoint an additional deputy, whose salary shall be paid by the county." (Acts of Alabama 1950-1951, vol. I, p. 538).

H. 1061. To authorize the county governing body of any county having a population of not less than 20,000 and not more than 25,000 inhabitants according to the 1960 census, and two courthouses, and the county governing body of such county is a board of revenue, to provide compensation for a deputy sheriff in addition to the chief deputy provided by law.

H. 1062. Authorizing the governing body of any county having a population of not less than 20,000, and not more than 25,000 inhabitants and two courthouses, and the county governing body of such county is a board of revenue, to authorize the circuit clerk to appoint an additional deputy, whose salary shall be paid by the county.

H. 1063. To repeal Act No. 255, S. 317, approved July 19, 1951 entitled "An Act To authorize the county governing body of any county having a population of not less than 28,000 and not more than 42,000 inhabitants according to the 1950 census, and two courthouses, and the county governing body of such county is a board of revenue, to provide compensation for a deputy sheriff in addition to the chief deputy provided by law." (Acts of Alabama 1950-1951, vol. I, p. 537).

H. 1064. To amend further Section 257 of Title 13, Code of Alabama 1940, which fixes the compensation of deputy solicitors in certain counties.

H. 1065. Relating to counties having populations of not less than 40,000 nor more than 45,000 inhabitants; to direct the county governing

body to adjust the compensations of certain county officers.

H. 1067. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing Mobile County under certain conditions to issue its general obligation bonds not exceeding \$1,767,000 in principal amount for various capital improvements in said county, said bonds to be additionally secured by a pledge of the special ad valorem tax provided for in Amendment XVIII to said constitution, as amended, authorizing the continued levy and collection of said tax for payment of said bonds, providing that none of the bonds which are payable out of said tax or for which said tax is pledged shall be chargeable against the limitation on indebtedness of said county contained in Section 224 of the constitution, and specifying certain details pertaining to said bonds and the sale thereof.

The above bill was read a second time at length as required by the Constitution.

H. 1068. To repeal Act No. 429, H. 659, approved September 25, 1947, entitled "To require the tax assessor of counties having a population of not less than 140,000 and not more than 400,000 inhabitants as shown by the last or any succeeding federal census, in addition to such duties as are now required of him by law, to act in an advisory capacity to the county board of equalization, and to investigate complaints as to assessments and make reports thereon to said board, and to provide for additional compensation of the tax assessor of such counties on account of such extra duties." (Acts of Alabama 1947, page 311.)

H. 1069. To require, authorize and empower the governing body of all counties in this State, having a population of not less than 300,000 nor more than 500,000 by the last Federal census or by any succeeding Federal census, to levy and collect an excise, license or privilege tax on cigarettes and on every person, firm, corporation, club or association within the county, who or which sells or stores or consumes or receives for the purpose of distribution, cigarettes, and to prescribe the rate thereof; to require, authorize and empower the governing body of such counties to prescribe the method and provide for the collection of such tax; and to provide for the disposition of the revenues derived therefrom.

H. 1070. To repeal Act No. 55, H. 279, approved June 10, 1949, entitled "To require, authorize and empower the governing body of all counties in this State, having a population of not less than 140,000 nor more than 400,000 by the last Federal census or by any succeeding Federal census, to levy and collect an excise, license or privilege tax on cigarettes and on every person, firm, corporation, club or association within the county, who or which sells or stores or consumes or receives for the purpose of distribution, cigarettes, and to prescribe the rate thereof; to require, authorize and empower the governing body of such counties to prescribe the method and provide for the collection of such tax; and to provide for the disposition of the revenues derived therefrom." (Acts of Alabama 1949, page 79).

H. 1071. To require the tax assessor of counties having a population of not less than 300,000 and not more than 500,000 inhabitants as shown by the last or any succeeding federal census, in addition to such duties as are now required of him by law, to act in an advisory capacity to the county board of equalization, and to investigate complaints as to assess-

ments and make reports thereon to said board, and to provide for additional compensation of the tax assessor of such counties on account of such extra duties.

H. 1072. To repeal Act No. 281, H. 559, approved August 11, 1947, entitled "To confer on the Probate Courts in all counties of this State, which now have or may hereafter have a population of over 140,000 and less than 400,000, according to the last or any subsequent Federal census, general equity jurisdiction, concurrent with that of the Circuit Courts, in Equity, of this State in the administration of the estates of deceased persons, minors and insane persons, including testamentary trust estates; and to confer on the judges of such Probate Courts the same powers and authority which Judges and Registers of the Circuit Courts of this State now have in connection with the administration of such estates in the Circuit Courts, in Equity; to provide for the pleading, practice and procedure in such matters, and for the enforcement of judgments and decrees and for appeals to the Supreme Court from the orders, judgments and decrees of such courts; and to provide for the compensation of the judges of such courts, including the assessment and collection of fees, commissions and costs of court for the performance of the duties authorized by this act. (Acts of Alabama 1947, page 140).

H. 1073. To confer on the Probate Courts in all counties of this State, which now have or may hereafter have a population of over 300,000 and less than 500,000, according to the last or any subsequent Federal census, general equity jurisdiction, concurrent with that of the Circuit Courts, in Equity, of this State in the administration of the estates of deceased persons, minors and insane persons, including testamentary trust estates; and to confer on the judges of such Probate Courts the same powers and authority which Judges and Registers of the Circuit Courts of this State now have in connection with the administration of such estates in the Circuit Courts, in Equity; to provide for the pleading, practice and procedure in such matters, and for the enforcement of judgments and decrees and for appeals to the Supreme Court from the orders, judgments and decrees of such courts; and to provide for the compensation of the judges of such courts, including the assessment and collection of fees, commissions and cost of court for the performance of the duties authorized by this act.

H. 1074. To prescribe the compensation of coroners in all counties having a population of not less than 300,000 nor more than 500,000, according to the last or any subsequent decennial Federal census, and the method of payment thereof; to provide an assistant for such coroners to be known as the Coroner's Physician, and to provide for his appointment, qualifications, compensation, allowances and method of payment thereof.

H. 1075. To repeal Act No. 563, S. 427, approved July 6, 1943 (Acts of 1942-1943, p. 561) and any and all other acts amendatory of said Act No. 563, which provides for an assistant for county coroner in all counties having a population of not less than 140,000 nor more than 300,000 according to the last or any subsequent federal census.

H. 1076. To repeal Act No. 733, S. 543, approved September 20, 1957, (Acts of 1957, vol. II, p. 1153), which fixes the compensation of the coroner in all counties having a population of not less than 140,000 nor more than 300,000 according to the last or any subsequent federal decennial census.

H. 1077. To repeal Act No. 343, H. 540, approved June 30, 1943, an

act relating to the issuance of building permits and applying in certain counties classified on a population basis (Gen. Acts 1943, p. 324).

H. 1078. To authorize the creation of a corporation in all counties of this state having a population of not less than 300,000 to 500,000, according to the last or any subsequent Federal decennial census, to provide for the appointment of the governing body of said corporation, their term of office, compensation, and times for meeting, to require said counties and certain municipalities located within said counties to make payments to said corporation to aid in the operation of a hospital in said counties and to provide care for patients, to require said corporation to operate a hospital in said counties, to prescribe the powers and duties of said corporation, and to provide for a fiscal year for the operation of said hospital board; and to allow said counties and municipalities to use bond proceeds authorized by their voters for hospital purposes either jointly or by grant to the corporation.

H. 1079. To direct and require the Commissioner of Revenue and the State Department of Revenue to collect any taxes now or hereafter levied in the City of Aliceville, Pickens County, Alabama, or in the police jurisdiction thereof, which said taxes are levied by the City Council of the City of Aliceville, under the provisions of any ordinance or resolution duly promulgated and adopted by the governing body of said City, and known as a privilege or license tax against persons, firms or corporations engaging in the business of selling tangible personal property at retail in the City of Aliceville, Alabama, or within the police jurisdiction thereof, with a levy identical to the state levy for sales and use taxes, except for rate of tax; to prescribe the powers, duties and authority of the Commissioner of Revenue, the State Department of Revenue, and the Comptroller, with respect to the method or procedure for collecting such taxes and remitting the proceeds thereof.

H. 1080. Proposing an Amendment to the Constitution of Alabama to authorize a hospital tax in Districts Three and Four of Tallapoosa County and the financing of hospitals and health facilities with bonds, warrants or certificates of indebtedness issued in anticipation of the collection of such tax.

The above bill was read a second time at length as required by the Constitution.

H. 1085. To fix the compensation of the county solicitor of Limestone County and repeal conflicting laws.

H. 1086. To amend further Section 3 of Act No. 355, H. 757, approved August 17, 1953 (Acts 1953, p. 423), an act fixing the compensation of the sheriff of Limestone County and providing for the appointment of deputies and assistants, in relation to the number of deputies and jailers to be appointed by the sheriff.

H. 1087. To authorize the employment of an additional clerk by the circuit clerk and register in chancery of Limestone County and to provide for the compensation of such clerk.

H. 1088. To create the Madison County Coliseum Administration Board; to prescribe its duties; to prescribe the manner of selecting and

compensating the board; to make provision for the members of the board to furnish a bond; to make provision for the appointment and compensation of a coliseum manager and other employees and to authorize appropriations by the county governing body.

H. 1089. To provide additional revenue for educational purposes in Lowndes County; authorizing the court of county commissioners, board of revenue, or like county governing body, to levy, when approved at a referendum election, special county privilege license and excise taxes paralleling, at lower rates, state sales and use taxes as provided for in Act No. 100, H. 94, approved August 18, 1959, and in Article 11 of Chapter 20, Title 51, Code of Alabama 1940, as heretofore amended and supplemented; providing for collection and enforcement of such taxes by the state department of revenue.

H. 1090. To amend Section 9 of Act No. 746, H. 1075, approved September 23, 1957, entitled "An Act Relating to privilege licenses; levying an additional tax upon sellers of malt or brewed beverages who are engaged in that business in Lowndes County; providing for the assessment, collection, and use of the proceeds of the tax and for the adoption and promulgation of rules and regulations therefor by the governing body of said county; defining violations of the Act; and prescribing penalties therefor" (Acts of Alabama 1957, vol. II, p. 1178).

H. 1091. To alter or rearrange the boundary lines of the Town of Daphne, Baldwin County, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory contiguous thereto, in Baldwin County, Alabama.

H. 1092. To provide for the institution and prosecution of misdemeanors in the circuit court of Bibb County, Alabama, otherwise than by indictment by the grand jury; to authorize and empower the clerk of the circuit court of Bibb County to take oaths in support of complaints or affidavits and to issue warrants of arrest thereon in such cases returnable to the circuit court of Bibb County; to authorize and empower the said clerk to receive a plea of guilty by the defendant in such cases and set, assess or fix the fine on said plea within the limits allowed by law; and to provide for the formal minute entry and/or judgment entry to be made by a judge of said court on a subsequent date without the presence of the defendant.

H. 1093. To provide for a solicitors law enforcement fund in any county having a population of not less than 96,000 nor more than 106,000.

H. 1094. To create the Madison County Coliseum Administration Board; to prescribe its duties; to prescribe the manner of selecting and compensating the board; to make provision for the members of the board to furnish a bond; to make provision for the appointment and compensation of a coliseum manager and other employees and to authorize appropriations by the county governing body.

H. 1095. To authorize the clerk of the circuit court of Randolph County to take complaints and issue warrants in criminal cases for offense committed within the County.

H. 1114. To authorize and provide for the payment of a monthly ex-

pense allowance for expenses incurred in the conduct and maintenance of his office and in the proper and efficient performance and discharge of his duties as such circuit judge to each circuit judge in judicial circuits in Alabama composed of one county in Alabama having a population of not less than 100,000 nor more than 135,000 inhabitants, according to the last, or any subsequent, federal decennial census, payable out of the county treasury of the county composing such judicial circuit.

H. 1115. To repeal Act No. 446, H. 935, approved November 13, 1959, entitled, "An Act to provide for the compensation of the deputies or clerks of the tax assessors and tax collectors of all counties having a population of not less than 47,000 nor more than 51,000, according to the most recent federal decennial census" (Acts of Alabama 1959, vol. II, p. 1140).

H. 1117. To repeal Act No. 47, H. 61, approved April 8, 1955, entitled, "An Act to apply in all counties having a population of not less than 47,500 nor more than 52,500 inhabitants, according to the last or any subsequent federal decennial census; providing for the appointment of a deputy clerk of the circuit court of such counties; prescribing the duties, powers, and authority of such deputy, fixing his compensation and designating the method of payment and the fund from which such compensation shall be paid" (Acts of Alabama 1955, vol. I, p. 157).

H. 1152. To direct and require the commissioner of revenue and the state department of revenue to collect any sales and use taxes now or hereafter levied in the Town of Camp Hill, Tallapoosa County, Alabama, and its police jurisdiction under the provisions of any ordinance or resolution duly promulgated and adopted by the governing body of said town; to prescribe the powers, duties and authority of the commissioner of revenue, the state department of revenue, and the comptroller with respect to the method of procedure for collecting such taxes and remitting the proceeds thereof.

H. 1047. To levy additional special privilege license and excise taxes for public school purposes in School District Two of Perry County, such taxes to parallel the state sales and use taxes provided for in Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, and Article 11, Chapter 20, Title 51, Code of Alabama 1940, as amended and supplemented; to define the term School District Two as used in this Act; to provide for the collection of such taxes by the county governing body of Perry County, and for the custody, distribution and use of the proceeds thereof; to provide for the administration and enforcement of the Act; and to prescribe penalties.

H. 1048. To raise revenue for educational purposes in the school districts known as District 35 or Uniontown Beat, and District 36 or Pope's Beat, in Perry County; to provide an excise tax in such districts on bottled soft drinks; and to provide for the collection and administration of such tax.

H. 1162. To fix the compensation of the coroner in any county in Alabama having a population of not less than 25,800 nor more than 26,700 according to the 1960 or any subsequent decennial federal census.

H. 1163. To Amend Sections 4, 6, 8, 9, 23, 28, 29 and 33 of an Act entitled An Act "To Establish a Law and Equity Court for Lauderdale County, to define its jurisdiction and powers; to provide for trial tax and

other fees; to provide that said court shall be open at all times for the trial of cases and transaction of business; prescribing rules and procedure for said court; to provide for an official court reporter for said court and fix his compensation, and to provide for the transfer of causes now or hereafter pending in the County and Circuit Court of Lauderdale County, Alabama, to the Law and Equity Court; to abolish the County Court of Lauderdale County, and the office of Deputy Solicitor for Lauderdale County," approved May 29, 1931, as amended by Act approved July 7, 1947, and as further amended by Act approved May 30, 1951.

H. 1165. To declare and designate certain state-owned lands in Colbert County as a game refuge to be known as "The Colbert County Game Sanctuary"; to close such refuge to hunting; to withdraw from the director of conservation authority to prescribe open seasons for hunting in such refuge; to provide that this Act shall be supplemental; and to prescribe penalties.

H. 1166. To alter, extend, and rearrange the boundary lines and corporate limits of the town of Clayton in Barbour County, Alabama, so as to annex certain territory to the town.

H. 1167. To amend Act No. 155, H. 296, Regular Session 1953, an act relating to the duties and compensation of county commissioners of Bullock County (Acts of Ala. 1953, vol. I, p. 197).

H. 1168. To provide for the City of Muscle Shoals, Alabama, a civil service system governing the appointment, removal, salaries, tenure, and official conduct of employees of the police department, and City Clerk's office of the city; defining violations of the Act, and imposing penalties for violations.

H. 1169. To amend Sections 7, 9 and 11 of Act No. 328, H. 854, approved October 29, 1959, An Act to create in the City of Tuscaloosa, Alabama, a fund to be known as the Firemen's and Policemen's Pension and Relief Fund, so as to require additional contribution to the fund by each fireman and policeman eligible to participate in the fund; to require additional contribution to the fund out of the treasury of the city; to permit the board of trustees of the fund to employ an agent or investment counselor; to direct periodic actuarial studies of the fund; and to authorize additional investments of a portion of the fund.

H. 1170. To alter the corporate limits of the City of Tuscaloosa, and to rearrange and define the boundaries thereof.

H. 1171. To extend the boundary lines of the City of Decatur, in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

H. 1172. To extend the boundary lines of the City of Decatur in Morgan County, Alabama, so as to include within the boundaries of said municipality certain additional territory.

H. 1173. To repeal Act No. 221, H. 577, Regular Session 1959, an act providing that cities having populations of not less than 20,000 nor more than 23,000 may enact ordinances to establish and maintain general sys-

tems of pensions and retirements for the benefit of their regular employees (Acts of Alabama 1959, vol. 1, p. 759).

H. 1174. To authorize all cities in the State of Alabama having a population exceeding 28,000 and not exceeding 30,000 inhabitants, according to the 1960 or any succeeding regular decennial Federal Census, or which shall hereafter have such population according to any such census that may hereafter be taken, to enact ordinances to establish and maintain a general system of pensions and retirements, including allowances payable on retirement for age or disability, or benefits on separation from service, for the benefit of their regular employees whose salaries are paid on a monthly basis, with necessary classification and terms of admission; and providing that upon the establishment of any system of pensions and retirements such employees theretofore or thereafter appointed shall be eligible, subject to such exceptions, limitations and restrictions as deemed expedient, to admission to such system; to authorize such ordinances to prescribe the manner in which the system may be conducted and its funds collected and distributed; to authorize such cities enacting such ordinances to establish such board for the administration of the fund as is deemed expedient, and to permit the governing body of the city to serve as such board; to require the participating employees and the city to contribute to the funds of such retirement system and to provide for the fixing of the rates of contribution; to require the board to have prepared annually actuarial valuation of the assets and liabilities of the system and to permit, on the basis of such valuation, increase or decrease in the rates of contribution; to require such pension or retirement system organized under the provisions of this act to create and maintain reserves, calculated to be adequate to cover the liabilities on account of benefits payable under the ordinances, except that the provisions of this act shall not be applicable to any retirement system heretofore established by local act of the Alabama Legislature, on the basis of an interest rate not in excess of four per centum per annum, and mortality disability and other experience tables, or a similar group of employees; to authorize the reserves required in respect of service rendered or benefits granted prior to the date of the organization of such system under the provisions of this act to be accumulated on a basis calculated to produce a balance between the actuarial present value of the assets and the liabilities of the system within a period of not exceeding thirty years from the date of establishment of said system; to authorize the organization of a retirement system under this act to provide for the cessation, limitation or application of any former system of retirement benefits applying to persons eligible to be included in the newly organized system provided that any funds of such former system transferred to the newly organized system shall be applied first to the payment of the benefits on account of which such funds were contributed; to require that the funds of such retirement system organized under the provisions of this act constitute a trust fund to be used only for the purpose of providing the benefits of such retirement system and shall be held independently of the funds in the treasury of the city; to require that the ordinances provided for trustees, to invest and reinvest the funds of the system and the terms and restrictions in the manner of making such investments; to provide that the property of said system, the portion of wages or salary of an employee deducted or to be deducted, the right of an employee to a benefit, and all his rights in the funds of the system shall be exempt from taxation, attachment, execution or other process to satisfy any debt or liability of any employee of the system and any law relating to bankruptcy or insolvency; to provide that no assignment of any right in said funds or any benefits under the provisions of said ordinances shall be valid; to provide the time of taking effect of this act.

H. 1175. To alter, rearrange and extend the corporate limits of the City of Sylacauga, Talladega County, Alabama.

H. 1176. To alter, rearrange and extend the corporate limits of the City of Sylacauga, Talladega County, Alabama.

H. 1178. To provide that in all counties having populations of not less than 300,000 nor more than 500,000, according to the 1960 or any subsequent federal decennial census, the governing body of the county shall be authorized to close the offices of all officials, except those of the board of registrars, in their respective courthouses and any annex to such courthouse on certain days.

H. 1179. To apply in all cities of this state having populations of not less than 200,000 and not more than 300,000, according to the 1960 or any subsequent federal decennial census; to authorize payment to the widows and children of certain decedents who had formerly been employees of such cities, or departments, or agencies thereof, of certain refunds of contributions made by such decedent to a pension, relief, or retirement fund.

H. 1180. To amend the title and Section 2 of Act No. 346, H. 250, approved July 9, 1945, an act providing special meetings for registrars (General Acts of Alabama 1945, p. 563), so as to specify the meeting days for registrars of counties having populations of not less than 300,000 nor more than 500,000.

H. 1181. To repeal Act No. 372, H. 648, approved July 6, 1945, entitled "An Act to provide additional compensation for the members of the Board of Registrars in all counties of this State having a population of not less than 140,000 nor more than 300,000 according to the last or any subsequent Federal census," (General Acts of Alabama, p. 595).

H. 1182. To provide additional compensation for the members of the Board of Registrars in all counties of this State having a population of not less than 300,000 nor more than 500,000 according to the 1960 or any subsequent Federal census.

H. 1183. To provide further for selection of textbooks for use in junior and senior high schools in counties having populations of not less than 150,000 nor more than 300,000; amending Section 12 of Act No. 412, S. 261, Regular Session 1945.

H. 1184. To alter or rearrange the boundary lines of the City of Pell City, St. Clair County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits, and also certain other territory in St. Clair County, Alabama.

H. 1185. To alter or rearrange the boundary lines of the Town of Springville, St. Clair County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits, and also certain other territory in St. Clair County, Alabama.

H. 1190. To provide for the payment of an allowance for certain members of the court of county commissioners, board of revenue or like governing body in every county having a population of not less than 17,800 nor more than 18,700 for expenses incurred in the performance of their duties.

H. 1191. To amend Section 8 of Act No. 273 of the Legislature of Alabama, Regular Session of 1947, approved August 7, 1947, and designated "The Civil Service Act of Dothan".

H. 1192. To alter, rearrange and extend the boundary lines and corporate limits of the town of Newton in Dale County, so as to annex certain territory to the town.

H. 1193. To provide for the recording of conveyances in Barbour County, and to repeal Sections 2, 3, 4 and 5 of Act No. 270, approved February 12, 1879, Acts of Alabama 1878-79, pages 295 and 296.

H. 1194. To alter the corporate limits of the City of Northport, Alabama, and to rearrange and define the boundaries thereof.

H. 1222. To provide an allowance for clerk hire and expenses for the circuit court clerk of all counties having populations of not less than 16,500 nor more than 17,500.

H. 1223. To create and establish in the eastern division of Barbour County (Beats 1, 2, 4, 5, 11, 14 and 16 of Barbour County) an inferior court of limited jurisdiction of criminal cases and civil actions at law, to be known as the Court of Common Pleas of Barbour County, in lieu of the Inferior Court for Precinct Five of such county; providing for the officers of such court and for their term, powers, duties, compensation and method of selection; prescribing the jurisdiction of the court, regulating its procedure and process; fixing the costs, charges and commissions collectible in the court; and providing for the transfer of all cases pending in the Inferior Court for Precinct Five of Barbour County to the court hereby established.

S. 5. To repeal Act No. 165, H. 30, approved June 29, 1951, entitled, "An Act to provide additional clerks for the tax assessor and the tax collector in all counties having a population of not less than 47,000 nor more than 51,000 according to the most recent federal census, making the Act retroactive" (Acts of Alabama 1951, vol. 1, p. 403).

S. 6. To provide additional clerks for the tax assessor and the tax collector in all counties having a population of not less than 42,000 nor more than 46,000 according to the most recent federal census, making the Act retroactive.

S. 7. To apply in all counties having a population of not less than 42,000 nor more than 46,000 inhabitants, according to the last or any subsequent federal decennial census; providing for the appointment of a deputy clerk of the circuit court of such counties; prescribing the duties, powers, and authority of such deputy, fixing his compensation and designating the method of payment and the fund from which such compensation shall be paid.

S. 8. To repeal Act No. 47, H. 61, approved April 8, 1955, entitled, "An Act to apply in all counties having a population of not less than 47,500 nor more than 52,500 inhabitants, according to the last or any subsequent federal decennial census; providing for the appointment of a deputy clerk of the circuit court of such counties; prescribing the duties, powers, and authority of such deputy, fixing his compensation and designating the method of payment and the fund from which such compensation shall be paid" (Acts of Alabama 1955, vol. I, p. 157).

S. 9. To apply in all counties having a population of not less than

42,000 nor more than 46,000, according to the last or any subsequent federal decennial census; regulating further the office of county solicitor in such counties; imposing extra, new, and additional duties upon such officer, and providing further for his compensation.

S. 10. To repeal Act No. 48, H. 62, approved April 8, 1955, entitled, "An Act to apply in all counties having a population of not less than 47,500 nor more than 52,500, according to the last or any subsequent federal decennial census; regulating further the office of county solicitor in such counties; imposing extra, new, and additional duties upon such officer, and providing further for his compensation," (Acts of Alabama 1955, vol. I, p. 158).

S. 11. To repeal Act No. 446, H. 935, approved November 13, 1959, entitled, "An Act to provide for the compensation of the deputies or clerks of the tax assessors and tax collectors of all counties having a population of not less than 47,000 nor more than 51,000, according to the most recent federal decennial census" (Acts of Alabama 1959, vol. II, p. 1140).

S. 12. To repeal Act No. 448, H. 630, approved August 17, 1951, entitled, "An Act to fix the salary of County Superintendents of Education in all counties of the State of Alabama having a population of not less than 45,090 and not more than 46,550 according to the 1950 Federal Census, or any subsequent Federal census, and to provide when this Act shall take effect" (Acts of Alabama 1951, vol. I, p. 800).

S. 13. To repeal Act No. 271, H. 674, approved October 9, 1959, entitled, "An Act relating to the establishment, construction, reconstruction, repair, and maintenance of roads and bridges in all counties having a population of not less than 41,000 nor more than 47,000, according to the last or any subsequent federal decennial census; providing for a referendum election to determine whether the state or the county will have and exercise jurisdiction, supervision, and control over county roads and bridges" (Acts of Alabama 1959, vol. I, p. 835).

S. 14. To repeal Act No. 214, S. 169, approved July 21, 1953, entitled, "An Act relating to cities having a population of not less than 10,000 nor more than 12,000 inhabitants, according to the 1950 or any subsequent decennial census of the population of the United States; changing the time and method of electing and fixing the term of office of members of the board of commissioners of any such city" (Acts of Alabama 1953, vol. I, p. 281).

S. 15. Relating to counties having a population of not less than fourteen thousand four hundred (14,400) nor more than fourteen thousand nine hundred (14,900) inhabitants according to the 1960 or any subsequent decennial census of the United States; providing for the compensation of members of jury commissions in such counties.

S. 16. To repeal Act No. 139, H. 435, approved September 21, 1959, entitled, "An Act to regulate the compensation of members of the county board of education in counties having a population of not less than 14,000 nor more than 16,000 inhabitants according to the 1950 federal decennial census" (Acts of Alabama 1959, vol. I, p. 660).

S. 17. Relating to counties having a population of not less than

14,400 nor more than 14,900 inhabitants according to the last or any subsequent decennial census of the United States; authorizing the establishment by banks within such counties of branch banks within the county, subject to the approval of the Superintendent of Banks.

S. 18. To repeal Act No. 606, H. 974, approved September 15, 1953, entitled, "An Act relating to counties having a population of not less than 18,200 nor more than 18,600 inhabitants according to the last or any subsequent decennial census of the United States; authorizing the establishment by banks within such counties of branch banks within the county, subject to the approval of the Superintendent of Banks" (Acts of Alabama 1953, vol. II, p. 862).

S. 19. To repeal Act No. 741, S. 670, approved September 5, 1951, entitled, "An Act to provide that in all counties having a population of not less than 13,500 nor more than 15,500, the Board of County Commissioners, Board of Revenue, or other like governing boards may designate one or more State or National Banks as the County Depository" (Acts of Alabama 1951, vol. II, p. 1293).

S. 20. To repeal Act No. 574, H. 580, approved August 30, 1951, entitled, "An Act relating to counties having populations of not less than fourteen nor more than sixteen thousand inhabitants according to the last or any subsequent federal census; authorizing the governing body of any such county to provide for the appointment by the sheriff of a deputy sheriff in addition to all other deputies provided by law" (Acts of Alabama 1951, vol. II, p. 1012).

S. 21. To repeal Act No. 423, H. 581, approved August 15, 1951, entitled, "An Act relating to counties having populations of not less than fourteen nor more than sixteen thousand inhabitants according to the last or any subsequent federal census; authorizing the governing body of any such county to provide for the employment of a deputy clerk in the office of the Clerk of the Circuit Court" (Acts of Alabama 1951, vol. I, p. 757).

S. 22. To repeal Act No. 644, H. 1098, approved September 20, 1957, entitled, "An Act to fix the compensation of the county solicitor, deputy solicitor, or deputy circuit solicitor of all counties having a population of not less than twelve thousand five hundred nor more than fifteen thousand, according to the last or any subsequent federal decennial census" (Acts of Alabama 1957, vol. II, p. 975).

S. 23. To repeal Act No. 385, H. 730, approved September 4, 1957, entitled, "An Act relating to municipalities having a population of not less than 3,325 nor more than 3,350, according to the last or any subsequent federal decennial census; providing further for the public health and safety in such municipalities; prohibiting any person to build, maintain, or use a privy, or to own any building which does not have screened doors and windows, in such municipalities; and providing for the installation of water closets, septic tanks, and screens, and for the connection of such water closets with such septic tanks or the municipal sewerage system, by the municipality, and for the assessment of the cost thereof against the owner, in the event the owner fails to make such installation or connection, or to screen such doors and windows" (Acts of Alabama 1957, vol. I, p. 513).

S. 24. To repeal Act No. 264, H. 548, approved August 16, 1957, en-

titled, "An Act to fix the compensation of the county solicitor, deputy solicitor, or deputy circuit solicitor of all counties having a population of not less than 14,000 nor more than 16,000, according to the last or any subsequent federal decennial census" (Acts of Alabama 1957, vol. I, p. 339).

S. 197. To amend Section 1 of Act No. 291, H. 621, approved August 16, 1957, the act requiring the state department of revenue to collect any sales and use taxes levied in the city of Haleyville, Winston County, under the provisions of any ordinance or resolution duly promulgated and adopted by the governing body of that city (Acts of Alabama, Regular Session 1957, vol. I, p. 369).

S. 198. To provide for the election of school trustees in Winston County, fix their terms of office, and prescribe their qualifications.

S. 228. To amend the title and Section 1 of Act No. 153, H. 449, approved June 30, 1953 (Acts of Alabama 1953, vol. I, p. 195), regulating and fixing the minimum salary of firemen and policemen in certain cities classified on a population basis.

S. 229. To amend the title and Section 1 of Act No. 112, H. 380, approved June 19, 1951 (Acts of Alabama 1951, vol. I, p. 337), providing for the name, number and designation of the governing body of certain cities classified on a population basis; providing for the selection of employees in all such cities and prescribing the authority of the governing body of such cities with respect to such employees; providing for the distribution of the powers and duties of and among the members of the governing body of each such city; and providing for their compensation.

S. 230. To repeal Act No. 499, S. 617 approved August 30, 1949, entitled "An Act Relating to all cities in the State of Alabama having a population of not less than 50,000 people nor more than 78,500 people, according to the last or any succeeding regular decennial Federal Census; providing for the name, number and designation of members of the governing body of all such cities; providing for the selection and employment of employees in all such cities and prescribing the authority of the governing body of such cities with respect to said employees; providing for distribution of the powers and duties of and among the members of the governing body of each such city; providing the time when the provisions of this act shall become effective; and repealing all laws or parts of laws, general, local or special, in conflict with the provisions hereof." (Acts of Alabama 1949, p. 724).

S. 231. To repeal Act No. 500, S. 618, approved August 30, 1949 entitled "An Act Prescribing the compensation to be paid to members of the governing body in all cities in the State of Alabama having a population of not less than 50,000 people nor more than 78,500 people, according to the last or any succeeding regular decennial Federal Census, where such cities operate under the commission form of government; providing a method of payment of such compensation and providing the time when this Act shall become effective; and repealing all laws or parts of laws in conflict with the provisions hereof" (Acts of Alabama 1949, p. 725).

S. 232. To repeal Act No. 378, H. 785, approved July 6, 1943, entitled "An Act To provide for appeals from decisions of Civil Service Boards by whatever name known, governing the police and fire departments in all

cities of the State of Alabama which now have a population of as many as 35,000 and less than 75,000, according to the last Federal Census, or which shall have such populations according to any such census that may hereafter be taken and in which the police and fire departments are now or may hereafter be governed and controlled by a Civil Service Board, by whatever name known; to regulate and define the persons, officers, and positions governed and controlled by Civil Service laws and regulations now or hereafter in force and effect in such cities; to continue in full force and effect any Civil Service laws or regulations not herein modified; and to repeal all laws and parts of laws whether general, special or local, and whether codified or uncodified, in conflict with the provisions of this Act" (Acts of Alabama Regular Session 1942 and Special Session 1943, p. 347).

S. 233. To repeal Act No. 498, S. 616, approved August 30, 1949, entitled "An Act To provide for the name and number of members of the governing body of all cities in the State of Alabama having a population of not less than 50,000 people nor more than 78,500 people, according to the last or any succeeding regular decennial Federal Census; to provide for the designation of the members of the governing body of all such cities; to provide that in all primary and general elections for nomination or election of members of the governing body in such cities, each such position to be filled shall be designated separately and shall appear separately on all ballots in such elections; to provide that each candidate for nomination or election in such election shall designate the position to which he is seeking nomination or election; to provide the manner in which the names of candidates shall appear on ballots in such elections; and to repeal all laws or parts of laws, general, local or special, in conflict with the provisions hereof." (Acts of Alabama 1949, p. 723).

S. 234. To amend further Act No. 379, H. 786, approved July 9, 1943 (Acts of Alabama Regular Session 1943 and Special Session 1942, p. 349), an act to establish a Policemen and Firemen's Retirement Fund in certain cities classified on a population basis; to provide for such fund, its sources, management, and administration; to provide for a Board of Trustees and Secretary-Treasurer thereof for such fund; to provide for the retirement and reinstatement of active or retired members of such departments and payment of benefits provided for hereunder; to provide for payment of benefits to widows and orphans, and widowed mothers of such members; and to provide for appeals from rulings of the Board of Trustees.

S. 235. To amend the title and Section 1 of Act No. 501, S. 619, approved August 30, 1949, providing that the employees of any water works board or other board, public corporation or commission created or appointed by the governing bodies of certain cities classified on a population basis shall be covered by the terms of any city retirement system in effect at the time of creation of such board, commission or corporation (Acts of Alabama 1949, p. 726).

S. 236. To amend further Act No. 671, H. 921, approved September 4, 1951 (Acts of Alabama 1951, vol. II, p. 1158), creating and establishing a civil service system to govern the appointment, tenure, compensation, conditions of employment, and removal of certain officers and employees in such cities.

S. 294. Proposing an amendment to the Constitution of Alabama relative to the levying of a special tax on property for educational purposes in school district number one, Randolph County.

The above bill was read a second time at length as required by the Constitution.

S. 315. To repeal Act No. 224, H. 585, approved July 23, 1953, entitled, "An Act to regulate the payment of compensation of fire wardens in counties having a population of not less than 19,000 nor more than 20,000 inhabitants, according to the last or any subsequent federal decennial census" (Acts of Alabama 1953, vol. I, p. 291).

S. 316. Relating to counties having populations of not less than 18,800 nor more than 19,500 inhabitants according to the last or any subsequent decennial census of the United States; providing for the disbursement of gasoline tax moneys received from the State on a county-wide basis under the direction of the county governing body and the supervision of the county engineer for the establishing, constructing, repairing and maintenance of county roads and bridges; powers and duties of the county engineer; designating the judge of probate, chairman of court of county commissioners, as purchasing agent for the county; regulating the purchase of supplies, materials, equipment and contractual services in such county; placing county commissioners on salary.

S. 317. To repeal Act No. 58, H. 276, approved June 18, 1959, an act relating to the compensation of members of the county board of education in certain counties classified on a population basis (Acts of Alabama 1959, vol. I, p. 463).

S. 318. To repeal Act No. 128, H. 490, approved July 8, 1955, an act relating to the disbursement of certain gasoline tax moneys received from the State for the establishment and maintenance of county roads and bridges in certain counties classified on a population basis (Acts of Alabama 1955, vol. I, p. 377).

S. 319. To repeal Act No. 53, H. 259, approved June 17, 1957, entitled, "An Act to apply in but only in counties having a population of not less than 19,200 inhabitants, nor more than 20,200, according to the last or any subsequent federal decennial census; authorizing the court of county commissioners, board of revenue or like governing body of such counties, by whatever name called or designated, to fix the compensation of deputies sheriff," (Acts of Alabama 1957, vol. I, p. 96).

S. 320. To repeal Act No. 415, H. 773, approved August 27, 1953 (Acts of 1953, vol. I, p. 516), which provides for the compensation of members of the jury commission in counties having a population of not less than 18,000 nor more than 20,250 inhabitants according to the 1950 or any subsequent decennial census.

S. 321. To repeal Act No. 242, H. 639, approved September 30, 1959, entitled "An Act regulating further the insuring of the property of public hospitals in all counties in this State having a population of not less than 19,200 nor more than 20,200, according to the last or any subsequent federal decennial census," (Acts of Alabama 1959, vol. I, p. 803).

S. 322. To regulate the compensation of members of the county board of education in counties having a population of not less than 18,800 nor more than 19,500 inhabitants according to the last or any subsequent federal decennial census.

H. 336. Relating to powers of county governing bodies of counties having populations of not less than 62,000 nor more than 92,000, according to the 1960 or any subsequent federal decennial census; authorizing appropriations of county funds to provide ambulance service for the sick and infirm.

S. 351. To repeal Act No. 255, S. 317, approved July 19, 1951 entitled "An Act To authorize the county governing body of any county having a population of not less than 28,000 and not more than 42,000 inhabitants according to the 1950 census, and two courthouses, and the county governing body of such county is a board of revenue, to provide compensation for a deputy sheriff in addition to the chief deputy provided by law." (Acts of Alabama 1950-1951, vol. I, p. 537).

S. 352. To amend further Section 257 of Title 13, Code of Alabama 1940, which fixes the compensation of deputy solicitors in certain counties.

S. 353. To repeal Act No. 256, S. 318, approved July 19, 1951, entitled "An Act Authorizing the governing body of any county having a population of not less than 28,000, and not more than 42,000 inhabitants and two courthouses, and the county governing body of such county is a board of revenue, to authorize the circuit clerk to appoint an additional deputy, whose salary shall be paid by the county." (Acts of Alabama 1950-1951, vol. I, p. 538).

S. 354. Authorizing the governing body of any county having a population of not less than 20,000, and not more than 25,000 inhabitants and two courthouses, and the county governing body of such county is a board of revenue, to authorize the circuit clerk to appoint an additional deputy, whose salary shall be paid by the county.

S. 355. To authorize the county governing body of any county having a population of not less than 20,000 and not more than 25,000 inhabitants according to the 1960 census, and two courthouses, and the county governing body of such county is a board of revenue, to provide compensation for a deputy sheriff in addition to the chief deputy provided by law.

S. 356. To provide further for the compensation of the members of the county governing body in all counties having a population of not less than 24,600 nor more than 25,300, according to the last or any subsequent federal decennial census.

S. 396. To provide for the proportion of contribution by counties and incorporated municipalities therein to the budget of a county health department in all counties in this State having a population exceeding 150,000, and not exceeding 300,000 inhabitants, according to the latest Federal Census, or which shall hereafter have such population, according to any such census that may hereafter be taken.

S. 397. To repeal Act No. 396, S. 550, approved August 16, 1949, entitled "To provide for the proportion of contribution by counties and incorporated municipalities therein to the budget of a county health department in all counties in this State having a population exceeding 100,000, and not exceeding 140,000 inhabitants, according to the latest Federal Census, or which shall hereafter have such population, according to any such census that may hereafter be taken." (Acts of Alabama 1949, page 567.)

S. 448. Relating to the powers of the Board of Revenue of Lowndes County; authorizing the board to appoint its clerk and fix his compensation; repealing Section 5 of an act approved December 17, 1894, as amended, which provides that the clerk of the circuit court of the county shall be ex officio clerk of the Board of Revenue.

S. 449. To amend Act No. 681, H. 1076, Regular Session 1957, an act relating to the compensation of members of the court of county commissioners, board of revenue or other like governing body of Lowndes County (Acts of Alabama 1957, vol. II, p. 1029).

S. 450. To repeal Act No. 161, S. 25, Regular Session 1959, entitled "An Act relating to the public schools of Lowndes County; authorizing the county board of education to impose and provide for the collection of tuition charges or fees for the attendance of pupils at such schools" (Acts of Alabama 1959, vol. I, p. 686).

Mr. Hawkins, Vice-Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1081. To further amend retrospectively Section 22 of Act No. 929 of the Legislature of Alabama of 1959, relating to cities having a population of four hundred and fifty thousand inhabitants according to the last or any succeeding federal census.

H. 1082. To further provide for the collection of the sewer rentals or sewer service charges levied under the provisions of Act No. 619 of the Legislature of Alabama of 1949 (Acts of 1949, Pages 954 to 963 inclusive), by imposing the duty to collect such charges upon any City, Town, Water Board or other public corporation owning or operating any water distribution system serving three or more parcels of real property in Jefferson County, Alabama; to provide the compensation to any such Water Works Board for making such collections and to further regulate the method or methods for collection and the disposition of the collections and the reports; and to repeal all portions of any Act in conflict herewith.

H. 1083. To alter and re-arrange the boundary lines of the City of Homewood, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Jefferson County, Alabama, contiguous to said City.

H. 1084. For the relief of Nannie Reeves, as the widow of Benjamin M. Reeves, in the sum of \$1,000.00, in that on, to-wit, September 23, 1957, while engaged in the performance of his duties as an employee of Jefferson County, Alabama, Benjamin M. Reeves suffered an injury to his right leg as a result of which he was confined to the University Hospital in Birmingham, Alabama, where he died as a result of complications following said injury on October 11, 1957.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills and House Joint Resolutions, to-wit:

H. 102. To regulate further the compensation of county superintendents of education in all counties having a population of not less than 15,500 nor more than 16,300 inhabitants, according to the last or any subsequent federal decennial census.

Also:

H. 103. To repeal Act No. 18, H. 114, approved May 26, 1955, entitled "An Act to regulate further the compensation of county superintendents of education in all counties having a population of not less than 19,200 nor more than 20,000 inhabitants, according to the last or any subsequent federal decennial census," (Acts of Alabama 1955, vol. I, p 231).

Also:

H. 106. To repeal Act No. 154, H. 496, approved June 30, 1953, entitled, "An Act to fix the compensation of the superintendent of education in any county having a population of not less than 16,100 nor more than 16,450, according to the 1950 or any subsequent federal decennial census," (Acts of Alabama 1953, vol. I, p. 197).

Also:

H. 107. To repeal Act No. 32, H. 293, approved June 17, 1957, entitled, "An Act to fix the compensation of the county superintendent of education in all counties having a population of not more than 16,475 nor less than 16,075, according to the last or any subsequent federal decennial census," (Acts of Alabama 1957, vol. I, p. 80).

Also:

H. 880. Proposing an amendment to the Constitution of Alabama relating to Lamar County, and ordering an election thereon.

Also:

H. 685. To provide for and fix the salaries of members of the Commission or board of Commissioners (including the president of such commissions or board) of each city in the State of Alabama having a population of not less than 32,500 nor more than 33,500 inhabitants according to the last Federal Census, or which shall hereafter have such population according to any succeeding federal census, and to fix the time and regulate the mode of payment of such salaries; To provide further, that in such municipalities which own and operate light and power systems, and municipal water systems, one or either of them, that the president of such Commission shall be and act and be constituted as the supervisor thereof and shall be responsible for the planning, supervising and financing thereof; to fix his duties and to provide and fix the salaries, to fix the time and regulate the mode of payment thereof, to be paid the president of such Commission for his services as such supervisor out of the funds of such municipal light and power system, and municipal water system, one or either of them; To provide that this Act shall become effective on the first day of July, 1961.

Also:

H. J. R. 74. Relative to the death of Mrs. Minnie Jones Griffin Tucker.

Also:

H. 779. To alter or rearrange the boundary lines of the Town of Pine Hill, Alabama, Wilcox County, Alabama so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Wilcox County, Alabama.

Also:

H. 869. To provide for and prescribe the form of government for all cities having a population of not less than 100,000 nor more than 200,000 inhabitants according to the last federal census or any subsequent regular decennial federal census.

And find same correctly enrolled.

VIRGIS M. ASHWORTH,
Chairman.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills and House Joint Resolution, the titles to which are set out in the above and foregoing report of the Standing Committee on Rules.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Callahan to suspend the rules in order to have the call of counties for the introduction of bills and for the introduction of resolutions was adopted.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Callahan, Cabiness and Copeland:

H. 1225. To authorize and permit teachers, who have retired under the terms of the Teacher Retirement Act of Alabama, when they are physically and mentally able to do so, in the opinion of the employing authority, to perform duties as substitute teachers or part time teachers, and to earn not more than twelve hundred dollars per year, as such substitute or part time teacher, without affecting their status under the Retired Teacher's Act of Alabama.

Education.

By Messrs. Callahan, Edwards, Ferguson, Speaks, Barnett, Long (Perry), Cabiness, Sullivan, Ramey, Shumate, Hankins, Beville, Martin, Branyon, Avery and Ashworth:

H. 1226. To authorize the incorporation as a public corporation of any district tuberculosis sanatorium established in this state pursuant to Act

No. 287 enacted at the 1945 Regular Session of the Legislature of Alabama; to provide the procedure for such incorporation, for the consequence thereof and for the composition and election of the board of trustees for each such corporation; to grant broad powers to each such corporation, including the power to borrow money, to issue securities and to secure any such securities by mortgage and pledge of its properties and revenues; to specify certain details and characteristics of such securities; to exempt from taxation all property of each such corporation, all securities issued by each such corporation and the income therefrom and certain instruments executed by or to it; to provide that no such corporation be sued in action ex delicto; and to authorize any political subdivision or agency of the state to convey property to any such corporation without consideration and to appropriate funds thereto.

Judiciary.

By Messrs. McLendon (Bullock), Meade, Rogers, Nichols, Powell, Rozelle and Salter:

H. 1227. To raise additional revenue for educational purposes; amending Act No. 101, H. 56, Second Special Session 1959, so as to increase the rate of the tax on cigarettes by two cents a pack.

Ways and Means.

By Mr. Brannan:

H. 1228. To supercede and repeal Act 344, and Bill Number 301, 1955 and its two amendments, one being Act No. 106-H-115 Brassell; the other being Act No. 98-H-115 Brassell; in order to provide for the reclamation, restoration, operation and maintenance of Fort Morgan, in Baldwin County, Alabama; revising the Fort Morgan Historical Commission for the purpose of reclaiming, restoring, operating and maintaining Fort Morgan and certain other forts and buildings adjacent thereto; prescribing the powers, authority and jurisdiction of the Commission; providing for the election of a Secretary of the Commission and the employment of competent personnel to implement the objectives as set forth by the Commission; giving the Commission and the members thereof full police power to prefer charges against, and to make arrests of any person violating any rule or regulation of the Commission governing the operation and maintenance of Fort Morgan and the other forts and buildings under the authority and rules and regulations promulgated and adopted by the Commission; and transferring the right to all papers, books, records, stationery, supplies and equipment used in the control, maintenance and operation of Fort Morgan by the Department of Conservation, State of Alabama, and the members of the Fort Morgan Historical Commission as of December 30, 1962, and the Director of the Department of Conservation, State of Alabama, to the Fort Morgan Historical Commission as created by this Act.

Ways and Means.

By Mr. Brannan (with notice and proof):

H. 1229. To establish the position of official host and guide for Baldwin County at Fort Morgan; to prescribe his duties and provide for his compensation by Baldwin County; and to appoint Hatchett Chandler to such position.

Local Legislation No. 1.

Notice and Proof H. 1229:

LEGAL NOTICE

Notice of intent to enact a law of local application to give to Baldwin County the option of placing Hatchett Chandler under the County payroll for services to be rendered at Fort Morgan, in case his services with the State are discontinued, to be at a salary not exceeding \$195 per month.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BALDWIN

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. M. Howell, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Onlooker, a newspaper of general circulation published in Baldwin County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 13, April 20, April 27, and May 4, all in the year 1961.

E. M. HOWELL.

Sworn to and subscribed before me May 5, 1961.

DORIS HORDER RICH,
Title Notary Public.

My Commission Expires 22 December, 1962.

By Mr. Ashworth (with notice and proof):

H. 1230. To alter and re-arrange the boundaries of the town of Centreville, Bibb County, so as to annex certain territory to the town.

Local Legislation No. 1.

Notice and Proof H. 1230:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF BIBB

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter and re-arrange the boundaries of the town of Centreville, Bibb County, so as to annex certain territory to the town.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the town of Centreville, Bibb County, are hereby altered, rearranged and extended so as to include within the corporate limits of the town all that territory embraced by the boundaries described herein, to-wit:

Beginning at a concrete post on the West margin of Cooper Street in the Town of Centreville and on the South boundary of the present Town limit and said concrete post being the Northwest corner of lands of the W. E. Belcher Lumber Company and 1117.3 feet South and 2734.91 feet West from a concrete post marking the Northeast corner of the South half of section 26, T 23N, R 9E St. Stephens Meridian, Bibb County, State of Alabama and from the above described beginning point run thence West with the present Town limit line a distance of 1301.0 feet to a concrete post marking the corner common to the town limits of Centreville and Brent; run thence South 1353.0 feet, more or less, to the North margin of the Right-of-way of the Gulf, Mobile and Ohio Railroad and 50 feet off the center line of the main line tracks thereof: run thence N 88 degrees 50' E with the North margin of said Railroad right-of-way a distance of 1272.0 feet, more or less, to a concrete post marking the Southwest corner of lands of W. E. Belcher Lumber Company, run thence N 01 degrees 50' E with the line of the said Belcher lands a distance of 699.3 feet to a concrete post: and run thence N 02 degrees 02' E a distance of 191.2 feet to a concrete post; and run thence North with the line of the said Belcher lands a distance of 437.0 feet, more or less, to a concrete post, the point of beginning. Less one lot of W. E. Belcher Lumber Company 100 feet North and South and 150 feet East and West. The herein described lands being situated in the Southwest quarter (SW $\frac{1}{4}$) of section 26, T23 N, R 9E, Bibb County, Alabama.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF BIBB

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. W. Oakley, Sr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Centreville Press, a newspaper of general circulation published in Bibb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 6, July 13, July 20, and July 27, all in the year 1961.

J. W. OAKLEY, SR.

Sworn to and subscribed before me July 27, 1961.

MARVIN HUETT,
Title Notary Public.

By Mr. Gordon:

H. 1231. To provide for dissolution of water conservation and irriga-

tion corporations formed pursuant to Act No. 539, Regular Session 1955, and for reversion of their property to the county upon liquidation of corporate indebtedness or dissolution.

Judiciary.

By Messrs. Albea and Merrill (with notice and proof):

H. 1232. To alter, rearrange and extend the corporate limits of the Town of Oxford, Calhoun County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 1232:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF CALHOUN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter, rearrange and extend the boundaries and corporate limits of the City of Oxford, Calhoun County, Alabama, so as to annex certain territory to the city.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries and corporate limits of the City of Oxford, Calhoun County, Alabama, are hereby altered, rearranged and extended so as to include within the corporate limits of the city the following described territory in addition to the area now embraced within such boundaries and corporate limits, to-wit:

Beginning at a point on the north line of the right of way of the Bankhead Highway 640 feet west of the east line of the southeast quarter of the southwest quarter of Section 21, Township 16, Range 8: thence east along the north line of the right of way of said Bankhead Highway 265 feet; thence north parallel with the east line of said Southeast quarter of southwest quarter to the south line of the right of way of the Southern Railway Company; thence westwardly along the south line of said right of way to a point on said south line 640 feet west of the east line of said southwest quarter of southwest quarter; thence southwardly to the point of beginning, situated in Calhoun County, Alabama.

ALSO: All that part of the southwest quarter of the southwest quarter of Section 21, Township 16, Range 8, lying north of the Southern Railway right of way not now in the corporate limits of the Town of Oxford, Alabama, containing approximately 26 acres.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

Personally appeared before me Ralph W. Callahan, who being duly sworn, makes oath that he is General Manager of The Anniston Star, a daily newspaper published in Anniston, Alabama, and that the attached notice was published on the following dates: July 3, 10, 17, 24, 1961.

S/ RALPH W. CALLAHAN.

Sworn to and subscribed before me this 24 day of July 1961.

S/ LOLA J. BRIGHT,
Notary Public.

By Messrs. Speaks, Cabiness, Gross and Dodd:

H. 1233. To propose an amendment to the Constitution providing for the levy and collection of an additional property tax for educational purposes in each county of the State.

Ways and Means.

The above bill was read a first time at length as required by the Constitution.

By Mr. Speaks:

H. 1234. To provide an expense allowance to members of the court of county commissioners, board of revenue or like governing body of all counties having a population of not less than 25,500 nor more than 25,700 according to the 1960 or any subsequent federal decennial.

Local Legislation No. 1.

By Mr. McCorquodale:

H. 1235. To require the inclusion of reasonable fees or compensation for attorneys prosecuting the cause in any judgment rendered against an insurer in a suit on a policy or contract of insurance.

Judiciary.

By Mr. Ingram:

H. 1236. To exempt from ad valorem taxation the value of improvements to property resulting from construction of family radioactive fallout shelters; amending Code of Alabama 1940, Title 51, Section 17.

Ways and Means.

By Mr. Ingram:

H. 1237. To provide individuals special deductions for state income tax purposes.

Ways and Means.

By Mr. Bishop (with notice and proof):

H. 1238. Relating to Colbert County; fixing the compensation of the chairman of the board of revenue, court of county commissioners, or other like governing body of Colbert County.

Local Legislation No. 1.

Notice and Proof H. 1238:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF COLBERT

NOTICE is hereby given that a bill substained as follows will be introduced in the Legislature of Alabama and application for its passage and enactment for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Colbert County; fixing the compensation of the chairman of the board of revenue, court of county commissioners, or other like governing body of Colbert County.

Be It Enacted by the Legislature of Alabama:

Section 1. The chairman of the board of revenue, court of county commissioners, or other like governing body of Colbert County shall receive a salary of seven thousand two hundred dollars (\$7,200) per annum, payable in equal monthly installments out of the county treasury in the manner prescribed by law. Such compensation shall be his full compensation, and shall be in lieu of all other compensation, allowances, per diem, or expenses heretofore provided by law.

Section 2. The provisions of this Act shall become operative only if approved by a majority of the qualified electors of Colbert County, voting in a referendum to be held on the date of the first county-wide primary, general, or special election held after the passage of this Act. The governing body of Colbert County shall order and provide for the holding the referendum on such date. On the ballots to be used at the election, the question shall be stated substantially as follows: "Shall the provisions of Act No. _____ of the 1961 Regular Session of the Legislature, which fixes the compensation of the chairman of the governing body of Colbert County, be adopted? Yes () No ()." If a majority of the votes cast in the election are "Yes," the provisions of this Act shall become effective upon the expiration of the terms of the chairman or other members of the governing body of Colbert County in accordance with the provisions of Amendment 144 of the Constitution of Alabama. If the majority are "No" this Act shall have no effect. The judge of probate of Colbert County shall certify the results of the election to the Secretary of State within 30 days after the returns thereof are canvassed.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF COLBERT

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. F. Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Colbert County Reporter, a newspaper of general circulation published in Colbert County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 6, July 13, July 20, and July 27, all in the year 1961.

W. F. MILLER.

Sworn to and subscribed before me July 31, 1961.

FRANCES DI RAGO,
Title Notary Public.

By Mr. Bishop (with notice and proof):

H. 1239. Relating to Colbert County; fixing the compensation of members, other than the chairman, of the board of revenue, court of county commissioners, or other like governing body of Colbert County.

Local Legislation No. 1.

Notice and Proof H. 1239:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF COLBERT

NOTICE is hereby given of the intention to apply for the passage of a Bill in the Legislature of Alabama and its enactment in substantially the following form:

A BILL
TO BE ENTITLED
AN ACT

Relating to Colbert County; fixing the compensation of members, other than the chairman, of the board of revenue, court of county commissioners, or other like governing body of Colbert County.

Be It Enacted by the Legislature of Alabama:

Section 1. Each member, except the chairman, of the board of revenue, court of county commissioners, or other like governing body of Colbert County shall receive a salary of six thousand dollars (\$6,000) per annum, payable in equal monthly installments out of the county treasury in the manner prescribed by law. Such compensation shall be their full compen-

sation, and shall be in lieu of all other compensation, allowances, per diem, or expenses heretofore provided by law.

Section 2. The provisions of this Act shall become operative only if approved by a majority of the qualified electors of Colbert County, voting in a referendum to be held on the date of the first county-wide primary, general, or special election held after the passage of this Act. The governing body of Colbert County shall order and provide for the holding of the referendum on such date. On the ballots to be used at the election, the question shall be stated substantially as follows: "Shall the provisions of Act No. _____ of the 1961 Regular Session of the Legislature, which fixes the compensation of members, other than the chairman, of the governing body of Colbert County, be adopted? Yes () No ()." If a majority of the votes cast in the election, are "Yes," the provisions of this Act shall become effective upon the expiration of the terms of incumbent members of the board of revenue, court of county commissioners, or other like governing body of Colbert County in accordance with the provisions of Amendment 144 of the Constitution of Alabama. If the majority are "No," this Act shall have no effect. The judge of probate of Colbert County shall certify the results of the election to the Secretary of State within 30 days after the returns thereof are canvassed.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF COLBERT

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. F. Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Colbert County Reporter, a newspaper of general circulation published in Colbert County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 6, July 13, July 20, and July 27, all in the year 1961.

W. F. MILLER.

Sworn to and subscribed before me July 31, 1961.

FRANCES DI RAGO,
Title Notary Public.

By Mr. Bishop (with notice and proof):

H. 1240. To vacate and annul as a public street, thorough-fare, avenue or public way and to divest and terminate the right of the public and the City of Muscle Shoals, Alabama, to use as a street, thorough-fare, avenue or public way that part of Worthington Avenue, Barry's Business Centre, Block "A", City of Muscle Shoals, Alabama, Colbert County, Alabama, lying between the easterly boundary of Burrough Avenue and the westerly boundary of Fords Way; also that part of said Worthington Avenue lying between the eastern boundary of Fords Way and the western boundary of Edison Avenue and also all that part of said Worthington Avenue lying between the eastern boundary of Edison Avenue and the west boundary of Firestone Avenue.

Local Legislation No. 1.

Notice and Proof H. 1240:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF COLBERT

NOTICE is hereby given of the intention to apply for the passage of a Bill in the Legislature of Alabama and its enactment in substantially the following form:

AN ACT

To vacate and annul as a public street, thorough-fare, avenue or public way and to divest and terminate the right of the public and the City of Muscle Shoals, Alabama, to use as a street, thorough-fare, avenue or public way that part of Northington Avenue, Barry's Business Centre, Block "A", City of Muscle Shoals, Alabama, Colbert County, Alabama, lying between the easterly boundary of Burrough Avenue and the westerly boundary of Fords Way; also that part of said Worthington Avenue lying between the eastern boundary of Fords Way and the western boundary of Edison Avenue and also all that part of said Worthington Avenue lying between the eastern boundary of Edison Avenue and the west boundary of Firestone Avenue.

Be It Enacted by the Legislature of Alabama:

Section I

That from and after the passage and approval of this act, that part of Worthington Avenue in Barry's Business Centre, Block "A", in the City of Muscle Shoals, Colbert County, Alabama, lying between the eastern boundary of Burroughs Avenue and the western boundary of Fords Way; also that part of said Worthington Avenue lying between the eastern boundary of Fords Way and the western boundary of Edison Avenue; and also all that part of said Worthington Avenue lying between the east boundary of Edison Avenue and the west boundary of Firestone Avenue is vacated as a public street, thorough-fare, avenue or public way and all rights of the public and of the City of Muscle Shoals, Alabama, to the use of said avenue, street or thorough-fare as a public way is terminated.

Section II

This act shall go into effect immediately upon its approval by the Governor.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF COLBERT

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. F. Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Colbert County Reporter, a newspaper of general circulation published in Colbert County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks

without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 22, June 29, July 6, and July 13, all in the year 1961.

W. F. MILLER.

Sworn to and subscribed before me July 24, 1961.

JACK DANIEL,
Title Notary Public.

By Mr. Guthrie (with notice and proof):

H. 1241. To abolish the Cullman County Hospital Administration Board and create in lieu thereof the Cullman County Hospital Board to operate and maintain the hospital owned jointly by the County of Cullman and the City of Cullman; to provide for the appointment and prescribe the compensation and duties of members of the board; to provide for the election of a chairman of the board and prescribe his duties; to authorize the board to hire an administrator of the hospital and regulate his duties; to regulate the operation of the hospital; to authorize the City of Cullman and the County of Cullman, in the month following any month in which the hospital records show that the operating expenses of the hospital exceed its income, to make appropriations, within a prescribed limit, to cover the deficit.

Local Legislation No. 1.

Notice and Proof H. 1241:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF CULLMAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made; to-wit:

A BILL TO BE ENTITLED AN ACT

To abolish the Cullman County Hospital Administration Board and create in lieu thereof the Cullman County Hospital Board to operate and maintain the hospital owned jointly by the County of Cullman and the City of Cullman; to provide for the appointment and prescribe the compensation and duties of members of the board; to provide for the election of a chairman of the board and prescribe his duties; to authorize the board to hire an administrator of the hospital and regulate his duties; to regulate the operation of the hospital; to authorize the City of Cullman and the County of Cullman, in the month following any month in which the hospital records show that the operating expenses of the hospital exceed its income, to make appropriations, within a prescribed limit, to cover the deficit.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created a Cullman County Hospital Board

to operate and supervise the hospital owned jointly by the County of Cullman and the City of Cullman. The board shall be composed of five members, all of whom shall be qualified electors of Cullman County.

Immediately after this Act becomes law the city council or other governing body of the City of Cullman shall appoint two members of the board, one to serve for a two-year term and one for a four-year term; and the governing body of the County of Cullman shall appoint three members, one for a one-year term, one for a two-year term, and one for a four-year term. The clerk of the City of Cullman shall certify the names of the persons whom the city council has appointed to membership on the board to the chairman of the county governing body who shall, within three days after receiving the certificate of the appointment from the city, designate a time and date within ten days thereof for holding the organizational meeting of the Cullman County Hospital Board. The board shall at its organizational meeting elect a president and such other officers as the board deems necessary; and annually thereafter the board shall elect such officers. All officers so elected shall serve for a one-year term.

Successors to the first members of the board shall be appointed by the city and county governing bodies respectively for four year terms.

Vacancies in the membership of the board shall be filled by the appointing authority that appointed the predecessor in such office and such appointees shall hold for the unexpired portion of the term of their predecessors.

Each member of the board shall receive as compensation the sum of \$10 per month for each month he actually attends the regular or special meetings of the board. He shall not be entitled to receive such compensation for any month in which he fails to attend such meetings. Regular meetings of the board shall be held on the first Monday of each month, and no special meetings shall be held, except in case of an emergency, or on call, jointly, of the chairman of the county governing body and the mayor of the City of Cullman.

Section 2. As soon as the hospital board hereby established has been organized, the chairman thereof shall notify the Cullman County Hospital Administration Board, which was established by Act No. 627, H. 1044, approved September 18, 1957 (Acts of Alabama 1957, page 942) what day the board hereby established will be ready to assume control of the hospital; and the Cullman County Hospital Administration Board is hereby abolished as of that date. All books, records, supplies, equipment, and medicines on hand in the hospital or in the possession of the Cullman County Hospital Administration Board when the hospital board created by this Act assumes control of the hospital shall be turned over to such newly established board.

Section 3. The hospital board hereby established is authorized and empowered to equip, maintain, supervise, and operate the public hospital owned jointly by the County of Cullman and the City of Cullman, and to promulgate and adopt such rules and regulations as may be necessary for the efficient and orderly operation of such hospital as a general hospital at which service will be available to any citizen of Cullman County and any municipality therein in need of such service. The hospital shall be operated mainly as a charitable institution, and no citizen of Cullman County shall be denied hospital care in such hospital, whether he can pay therefor or not. No person regardless of his residence shall be denied emergency treatment

therein. However, the board is specifically authorized to admit paying patients to the hospital and to fix and collect from patients able to pay for such services reasonable charges commensurate with the services rendered; and to fix charges to be paid by the County of Cullman and the City of Cullman for the care and treatment of indigent patients whose care is a legal responsibility of the county or the city, as the case may be.

The county governing body of Cullman County shall pay the fees fixed by the hospital board for the care and treatment of indigent patients admitted to the hospital upon the certificate issued by the county governing body, authorizing the hospital to admit such patient and stating that the county will pay the cost of the hospitalization of the patient named in the certificate. The City of Cullman shall pay the fees fixed by the hospital board for the care of indigent patients admitted to the hospital upon a certificate issued by the council or other governing body of the City of Cullman, authorizing the admittance of such patient to the hospital and certifying that the city will pay the cost of the hospitalization of such patient. Neither the City of Cullman nor the County of Cullman shall be required to pay hospital fees for any indigent patient who is admitted to the hospital, unless such a certificate has been issued by the city governing body or the county governing body, as the case may be.

Section 5. In order affectively to carry out the provisions of this Act, the hospital board may employ a suitable and duly qualified person to serve as hospital administrator. The hospital administrator shall serve as the executive officer of the board, shall perform such duties as may be required of him by the board, and shall serve at the pleasure of the board. He shall cause a record to be kept of all transactions by the hospital and shall maintain such record in the office of the hospital. The hospital administrator shall receive such salary as the hospital board may prescribe, and shall post such bond as the board may require. He shall have general supervision over the operation of the hospital, and, with the approval of the board, may employ and fix the compensation of employees of such hospital and promulgate and adopt such rules and regulations as may be necessary with respect to the duties of such employees. He shall, with the approval of the board, purchase all supplies needed in the operation of the hospital; provided, however, that when the purchase of any item will involve the expenditure of an amount in excess of \$100, the administrator shall obtain at least three competitive bids therefor, unless the hospital board specifically agrees that it would be advisable to contract for such purchases without obtaining bids; and he shall provide for the payment thereof. He shall act as treasurer of such hospital and properly account for all funds received and expended in the operation thereof; and he shall make a proper record of all bills paid and incurred, and see that such bills are properly audited before payment. All warrants issued against hospital funds shall be signed by the administrator and countersigned by the president of the board.

Section 6. Neither the hospital board, the administrator, nor any subordinate employee of the hospital shall have the authority to make any expenditure whatsoever for permanent improvements, or for any purpose whatsoever, other than normal daily operating expenses, without written authorization and approval of the governing bodies of the City of Cullman and the County of Cullman.

Section 7. On or before the tenth day of each month, the hospital administrator shall make a financial report to the board showing: (1) all expenditures made in the operation of the hospital during the preceding calendar month; (2) a list of all accounts payable, or claims which have

been filed and approved by him for payment, which were incurred during such calendar month; (3) all receipts for hospital services rendered during the preceding month; and (4) all charges for hospital services rendered during the preceding month which were not paid. Such financial statement shall reflect the true financial condition of the hospital and shall be rendered in accordance with acceptable accounting practices governing such institutions. Three copies of the financial statement shall be filed with the Cullman County governing body, six copies thereof shall be filed with the governing body of the City of Cullman, one copy thereof shall be filed with the state department of pensions and securities, and one copy shall be given to each member of the hospital board. If any deficit is incurred during any calendar month in the operation of the hospital as shown by the monthly financial report, the county governing body, except as otherwise provided herein, is hereby authorized and directed to make an appropriation out of county funds sufficient to pay sixty percent of such deficit, and the city governing body is hereby authorized to make an appropriation out of city funds sufficient to pay forty percent of such deficit. It is provided, however, that the total amount appropriated by the county governing body in any one month to pay for such deficit shall not exceed \$600 and that the total amount appropriated by the city governing body in any one month to pay any such deficit shall not exceed \$400; and it shall be unlawful for the county governing body to appropriate in excess of \$600 and for the city governing body to appropriate in excess of \$400 in any one month for such purposes.

Section 8. Each year, after the close of the Cullman County hospital's fiscal year, a full and complete audit of the books and records of such hospital shall be made by the state department of examiners of public accounts.

Section 9. Any member of the hospital board may be removed from office for cause, and by the same procedure provided by law for the removal or impeachment of members of a county governing body and mayors and intendents of incorporated cities and towns.

Section 10. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 11. All laws or parts of laws which conflict with this Act are repealed.

Section 12. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert Bryan, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Times, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without

cost to the State of Alabama, said notice having appeared in the issues of said paper on July 6, July 13, July 20, and July 27, all in the year 1961.

ROBERT BRYAN.

Sworn to and subscribed before me July 27, 1961.

MARIE W. BERGIN,
Title Notary Public.

My Commission Expires 4/5/65.

By Messrs. Gilmer, Hardy and Hain:

H. 1242. For the relief of Donald M. Ward; to make an appropriation to reimburse Donald M. Ward for sums expended for medical care and treatment on account of, and to compensate for personal injuries suffered by him while acting within the line and scope of his employment with the State Highway Department.

Ways and Means.

By Messrs. Gilmer, Hardy and Hain (with notice and proof):

H. 1243. To increase the number of trustees of Cahaba Historical Commission and fix their terms; amending Section 1 of Act No. 486, H. 765, approved July 9, 1943.

Local Legislation No. 1.

Notice and Proof H. 1243:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF DALLAS

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

Section 1. Section 1 of Act No. 486, H. 765, approved July 9, 1943, the act establishing the Cahaba Historical Commission (Gen. Acts 1943, p. 449), is amended to read as follows:

"Section 1. There shall be established a board of trustees, to be known as the Cahaba Historical Commission, for the purpose of acquiring, maintaining, and protecting certain properties and objects of historical interest at the first permanent seat of government of the State of Alabama, at Cahaba, in Dallas County. The board shall be composed of ten members appointed by the Governor, and the probate judge of Dallas County shall be a member ex officio. The trustees shall serve for terms of four years each. The incumbent trustees shall serve until their terms expire, and until their successors are appointed and qualified. Seven additional trustees shall be appointed within 30 days from the date of this enactment, three for terms that expire two years after that date, and four whose terms shall expire four years after the date of this enactment. Trustees shall serve without compensation other than payment of a per diem allowance and actual reasonable travel expenses incurred in attending

meetings of the board or in performing any actual service under the direction of the board. Such expenses shall be payable out of appropriations made for the Commission, upon warrant of the Comptroller, after the account for such expense has been approved by the board and by the Governor."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF DALLAS

Before me, Marian H. Wallace, a Notary Public in and for said County in said State, personally appeared Edward B. Field, who is known to me and who, being first duly sworn, deposes and says:

My name is Edward B. Field. I am Editor of The Selma Times-Journal, a daily newspaper published in Selma, Dallas County, Alabama.

In conformity with Section 106 of the Constitution of the State of Alabama, The Court of County Revenues of Dallas County, Alabama has had published in The Selma Times-Journal, a "notice" of a bill to be entitled an act to increase the number of trustees of Cahaba Historical Commission and fix their terms amending Section 1 of Act No. 486, H. 765, approved July 9, 1943. The said notice was published once a week for four consecutive weeks and on the following dates, to-wit: July 5, July 12, July 19 and July 26, 1961. A true copy of each of said notices as published is attached hereto.

EDWARD B. FIELD,
Editor, The Selma Times-Journal.

Sworn to and subscribed before me this the 26th day of July, 1961.

MARIAN H. WALLACE,
Notary Public, Dallas County, Alabama.

By Messrs. Johnston (Leonard) and Johnson (Hardaway):

H. 1244. To amend further Section 211 of Title 29, Code of Alabama 1940, which relates to the officers who may issue search warrants under the law regulating the possession, sale, and distribution of intoxicating liquors and alcoholic beverages.

Local Legislation No. 1.

By Mr. Rozelle (with notice and proof):

H. 1245. TO AUTHORIZE, DIRECT AND REQUIRE THE COMMISSIONER OF REVENUE TO COLLECT ANY SALES AND USE TAXES NOW OR HEREAFTER LEVIED BY THE CITY OF BREWTON, ESCAMBIA COUNTY, ALABAMA UNDER THE PROVISIONS OF ANY ORDINANCE OR RESOLUTION DULY PROMULGATED AND ADOPTED BY THE GOVERNING BODY OF SAID CITY: AND TO PRESCRIBE

THE POWERS, DUTIES AND AUTHORITY OF THE COMMISSIONER OF REVENUE, THE STATE DEPARTMENT OF REVENUE AND THE STATE COMPTROLLER WITH RESPECT TO THE METHOD OR PROCEDURE FOR COLLECTING SUCH TAXES AND REMITTING THE PROCEEDS THEREOF.

Ways and Means.

Notice and Proof H. 1245:

LEGAL NOTICE

NOTICE is hereby given that application will be made to the Legislature of Alabama at its regular session which began in May, 1961, for the passage of the following Local Act:

A BILL TO BE ENTITLED AN ACT

To authorize, direct and require the Commissioner of Revenue to collect any sales and use taxes now or hereafter levied by the City of Brewton, Escambia County, Alabama under the provisions of any ordinance or resolution duly promulgated and adopted by the governing body of said City; and to prescribe the powers, duties and authority of the Commissioner of Revenue, the State Department of Revenue and the State Comptroller with respect to the method or procedure for collecting such taxes and remitting the proceeds thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. The Department of Revenue is hereby authorized, directed and required to collect any sales and use taxes which may be levied by the City of Brewton, Escambia County, herein called the "municipality," under the provisions of any municipal ordinance or resolution imposing a levy identical with the state levy of sales and use taxes, except for the rate of such taxes, subject to all definitions, exceptions, exemptions, proceedings, requirements, rules, regulations, provisions, penalties, fines, punishments and deductions as will apply to the state sales and use taxes levied under Section No. 100, approved August 18, 1929, and Article 11 of Chapter 20, Title 51 of the Code of Alabama of 1940, and all acts now or hereafter amendatory thereof or supplementary thereto, except where inapplicable or where herein otherwise provided, including the provisions for the enforcement and collection of such taxes when said ordinance or resolution is duly promulgated and adopted by the governing body of the municipality and when a certified copy of said ordinance or resolution has been filed with the Department of Revenue; provided, however, that such taxes shall not be collected from or levied upon the State of Alabama or the Alabama Alcoholic Beverage Control Board or ABC Liquor Stores. Such municipal sales and use taxes shall be collected by the Department at the same time and along with the collection by the Department of taxes levied and collected for the State of Alabama under the provisions of the laws referred to above and all laws amendatory thereof, and all reports required to be made to the Commissioner of Revenue hereunder shall, on request to the Department of Revenue, be made available for inspection by the governing body of the municipality or its designated agent at reasonable times during business hours.

The Department of Revenue shall prepare and distribute such reports, forms and other information as may be necessary for the collection of such municipal sales and use taxes and shall have all the authority and duties hereunder that it has in connection with the collection of sales and use taxes due to the State.

It shall be the duty of the Commissioner of Revenue to pay into the state treasury all such taxes collected for the municipality; and on or before the 1st day of the following month the Commissioner shall certify to the State Comptroller the amount of taxes levied and collected under the provisions of this act for the use and benefit of the municipality during the calendar month immediately preceding the making of such certificate; whereupon it shall be the duty of the Comptroller to issue his warrant on the State Treasurer for the amount, less expenses, so certified by the Commissioner of Revenue as having been collected for the use of the municipality and paid into the state treasury; and the amount so certified by the Commissioner of Revenue as having been collected for the use of such municipality (less expenses) shall be paid to the treasurer of the municipality.

The Department of Revenue shall charge the municipality for collecting such sales and use taxes, the cost of making such collections, provided, however, that such charge shall not exceed Ten Percent (10%) of the amount collected. The State Comptroller shall each month draw his warrant on the funds collected hereunder payable to the Department of Revenue for the amount of such charges.

The Department of Revenue shall have full authority to employ such special counsel as it deems necessary from time to time to enforce collection of such municipal sales and use taxes and otherwise to enforce the provisions of the ordinance or resolution levying such taxes, including any litigation required, and the Department of Revenue shall pay such special counsel such fees as it deems necessary and proper from the proceeds of the taxes payable to the municipality under the provisions of this act.

Section 2. The duties hereby imposed upon the Commissioner of Revenue, the Department of Revenue and the State Comptroller shall be assumed and discharged by them after the making and filing with the Department of Revenue of a certified copy of the ordinance or resolution and amendments thereto levying sales or use taxes; but the duty to collect taxes levied thereby shall not be imposed upon the Department of Revenue until the 1st day of the month next following the expiration of thirty (30) days from the date of the filing with it of such certified copy of the ordinance or resolution and amendments thereto levying such taxes, which shall be the beginning period for the collection of such taxes as shall be due on and after said 1st day of the month.

Section 3. If the municipality should decide by the adoption of a resolution of its governing body to discontinue availing itself of the methods prescribed by this act for the collection of sales and use taxes it shall file a certified copy of the resolution so declaring with the Department of Revenue, whereupon the duties imposed upon the Department hereby shall no longer be required of it. If the municipality should by ordinance or resolution repeal any existing ordinance or resolution levying sales or use taxes a certified copy thereof shall be filed with the Department of Revenue and if it be then collecting taxes in accordance with this act its duties hereunder shall terminate.

Section 4. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this act are repealed.

Section 6. This act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ESCAMBIA

I, Tom Gardner, owner and publisher of The Brewton Standard, hereby certify that the attached notice is a true and correct copy of notice published in said Brewton Standard once a week for four consecutive weeks, namely in the issues of June 15, 1961, June 29, 1961, June 22, 1961, July 6, 1961.

I further certify that the said Brewton Standard is a newspaper printed in the English language in Escambia County, Alabama; that said newspaper has a general circulation in the county in which it is published, and has been mailed under the second class mailing privilege of the United States Post Office Department from the Post Office at Brewton, Alabama, where it is published, for more than 52 consecutive weeks.

s/ TOM GARDNER.

Subscribed and sworn to before me this 6 day of July, 1961.

s/ AMY B. CORPERING,
Notary Public, State at Large, Ala

By Messrs. Copeland and Hanby:

H. 1246. To provide a council-manager form of municipal government which, by popular vote, may be adopted and thereafter abandoned in the manner herein prescribed by any city which has a population of not less than 50,000 nor more than 70,000, according to the 1960 or any subsequent federal decennial census; to define the legal status and prescribe the form of government and powers of any city adopting this council-manager form of government; to provide as the governing body of any such city a city council having the powers, duties, and authority and composed of such number of members, elected for the terms, authorized to perform the duties and draw the compensation prescribed in this Act; to provide for the appointment and removal of a city manager and, under certain conditions, of a temporary city manager; to prescribe the city manager's powers and duties and the manner of fixing and paying his compensation; to regulate purchases and contracts of the city; to provide for the adoption of an annual budget for any such city and to require the submission and prescribe the contents of budget estimates; to provide for succession in government of any such city; to provide for the continued existence and functioning of certain independent boards and commissions in the manner prescribed therefor when this form of government is adopted by any such city; and

to preserve certain rights and privileges of certain municipal employees under civil service and retirement systems of such city.

Local Legislation No. 1.

By Messrs. Perry and Copeland:

H. 1247. TO PROVIDE WITH RESPECT TO ANY PENSION SYSTEM HERETOFORE OR HEREAFTER ESTABLISHED FOR THE EMPLOYEES OF ANY CITY OF THE STATE THAT IF THERE ARE NUMEROUS MEMBERS OF SUCH PENSION SYSTEM, OR NUMEROUS BENEFICIARIES UNDER SUCH PENSION SYSTEM, WHOSE SEVERAL RIGHTS TO BENEFITS OR SEVERAL CLAIMS FOR BENEFITS OR SEVERAL CLAIMS FOR THE RETURN OF AMOUNTS DEDUCTED FROM THEIR SALARIES AND PAID INTO THE PENSION SYSTEM FUND ARE AFFECTED BY THE SAME QUESTION OF LAW, THEN SUCH OF THEM, ONE OR MORE, AS WILL FAIRLY INSURE THE ADEQUATE REPRESENTATION OF ALL, MAY, UPON BEHALF OF ALL, FILE A CLASS SUIT AGAINST THE TRUSTEES, OR BOARD OF MANAGERS, OF THE PENSION SYSTEM TO ENFORCE THE BENEFITS OR CLAIMS IN THE EQUITY DIVISION, OR ON THE EQUITY SIDE, OF THE CIRCUIT COURT OF THAT JUDICIAL CIRCUIT WHEREIN THE CITY IS SITUATED; TO PROVIDE THAT NO SUCH CLASS SUIT SHALL BE INSTITUTED UNLESS ONE OF THE PARTIES IN THE ORIGINAL BILL OF COMPLAINT, EITHER PERSONALLY OR THROUGH HIS ATTORNEY, FILES WITH THE TRUSTEES, OR WITH THE BOARD OF MANAGERS OF THE SAID PENSION SYSTEM OR WITH THE SECRETARY THEREOF, THE DEMAND FOR PAYMENT OF THE BENEFIT CLAIMED, OR DEMAND FOR THE RETURN OF THE DEDUCTIONS FROM THE SALARY CLAIMED, AND THAT NO SUCH CLASS SUIT SHALL BE FILED UNTIL SIXTY DAYS HAVE ELAPSED BETWEEN THE FILING OF THE SAID CLAIM WITH THE SAID TRUSTEES, OR WITH THE SAID BOARD OF MANAGERS, OR WITH THE SECRETARY THEREOF, AND THE FILING OF THE BILL OF COMPLAINT IN THE CIRCUIT COURT, OR UNTIL AFTER THE TRUSTEES, OR THE BOARD OF MANAGERS, OR THE SECRETARY THEREOF, OR THE CITY ATTORNEY, HAS ADVISED THE CLAIMANT OR THE CLAIMANT'S ATTORNEY THAT THE BENEFIT DEMANDED IS DENIED; TO PROVIDE FOR THE ALLOWANCE OF A SOLICITOR'S FEE TO THE SOLICITOR OR SOLICITORS PROSECUTING THE SAID CLASS SUIT SUBJECT TO THE TERMS, CONDITIONS AND LIMITATIONS PRESCRIBED IN SAID ACT; TO PROVIDE THAT AND SUCH SOLICITOR'S FEE ALLOWED SHALL NOT BE CHARGED AS COSTS IN THE SUIT AND SHALL NOT BE CHARGED AGAINST THE CITY, THE TRUSTEES, OR THE BOARD OF MANAGERS OR AGAINST THE PENSION FUND, AND TO PROVIDE THE FUNDS OUT OF WHICH ANY SUCH SOLICITOR'S FEE ALLOWED SHALL BE PAYABLE; TO PROVIDE THE FACTORS WHICH SHALL BE TAKEN INTO CONSIDERATION IN DETERMINING THE AMOUNT OF ANY SUCH SOLICITOR'S FEE; AND TO PROVIDE THAT THIS ACT SHALL

BE CUMULATIVE TO ANY OTHER REMEDIES PROVIDED FOR BY ANY GENERAL, SPECIAL OR LOCAL LAW.

Ways and Means.

By Mr. Copeland:

H. 1248. To provide for the admission of evidence reflecting the net worth, financial condition, and the amount of liability insurance carried by the defendant in actions in which punitive damages can be assessed against him.

Judiciary.

By Mr. Cabiness:

H. 1249. To make it a misdemeanor to operate railroad trains in excess of certain speeds in all counties having a population of not less than 36,500 nor more than 37,500 inhabitants according to the 1960 or any subsequent federal decennial census; to provide the penalty for violations of this act.

Local Legislation No. 1.

By Mr. Cabiness:

H. 1250. Levying a county privilege or license tax upon every person, firm, or corporation engaged in operating a railroad in all counties having populations of not less than 36,500 nor more than 37,500 inhabitants according to the 1960 or any subsequent federal decennial census; providing for the enforcement and collection of the tax; providing for the distribution of the proceeds thereof; and prescribing penalties for violations of this act.

Local Legislation No. 1.

By Mr. Cabiness:

H. 1251. Relating to counties having populations of not less than 36,600 nor more than 37,800 according to the 1960 or any subsequent federal decennial census; providing further for operation of the office of the sheriff of any such county; authorizing the sheriff to appoint two additional deputies; providing for the qualifications, compensation, powers and duties of such deputies; authorizing the court of county commissioners, board of revenue, or like governing body of such county to pay to the sheriff of the county an allowance to defray the operational and maintenance cost of transportation incurred by such deputies in the performance of their official duties.

Local Legislation No. 1.

By Mr. Cabiness:

H. 1252. To require railroads to install and maintain flashing electric signals, bells, or other similar warning devices at every intersection of their tracks with a federal or state highway or with a county road where there is a grade crossing in Jackson County, which in the opinion of the board of revenue or other county governing body is dangerous, when directed to do so by the county governing body; and to prescribe penalties.

Local Legislation No. 1.

By Mr. Cabiness:

H. 1253. To make members of the public service commission ineligible to election to the office of governor of Alabama; amending Code of Alabama 1940, Title 48, Section 5.

State Administration.

By Messrs. Gross and Cabiness (with notice and proof):

H. 1254. To amend further an act approved November 4, 1950 entitled "An Act To Create a Board of Revenue for Jackson County; providing its powers and duties and for compensation of its members; prescribing penalties for violations of this Act; and abolishing the Court of County Commissioners of Jackson County" (Acts of Alabama 1950-51, Vol. 1, p. 126).

Local Legislation No. 1.

Notice and Proof H. 1254:

LEGAL NOTICE

A BILL TO BE ENTITLED AN ACT

To amend further an act approved November 4, 1950 entitled "An Act To Create A Board of Revenue for Jackson County; providing its powers and duties and for compensation of its members; prescribing penalties for violations of this Act; and abolishing the Court of County Commissioners of Jackson County" (Acts of Alabama 1950-51, Vol. 1, p. 126).

Be It Enacted by the Legislature of Alabama:

Section 1. Section 8 of an act approved November 4, 1950, which created a board of revenue for Jackson County and abolished the court of county commissioners of said county (Act No. 65, H. 81, Act of Alabama, 1950-51, Vol. 1, p. 126) as amended, is further amended to read as follows:

"Section 8. After the first Monday following the second Tuesday in January, 1953, the chairman of the Board shall be required to give his entire time and attention to the business of the Board. He shall sign all warrants or orders for disbursements of money from the county treasury. Claims against the county treasury may be sworn to before the chairman or before any other officer qualified to administer oaths. It shall be the duty of the chairman to receive and prepare the business of, and to obtain information for the meetings of the Board for the purpose of dispatching the work of the Board. The chairman shall see to the execution of all orders of the Board, and after the first Monday following the second Tuesday in January, 1953, he shall keep the books and records of the Board or personally supervise the same. He shall enter the minutes of all proceedings of the Board in a well-bound book, which shall be provided for that purpose, within five days from the adjournment of every regular or special meeting. The minute book shall be kept in the office of the Board and shall be open to public inspection at all reasonable hours. The chairman shall be entitled to five dollars for recording the minutes of each regular or special meetings of the Board, but such compensation shall not exceed in all

twenty dollars for any month. The chairman of the Board shall keep a complete record of all receipts and disbursements of county funds and must be prepared at all times to show the exact financial condition of the county. The chairman may employ a bookkeeper or clerk who shall receive a salary, to be paid out of the general funds of the county, of not less than twenty four hundred dollars nor more than thirty six hundred dollars per annum, payable in equal monthly installments, the exact amount to be fixed by the Board of Revenue of said county."

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF JACKSON

Before me, the undersigned authority in and for said County in said State, this day personally appeared FRED J. BUCHHEIT, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was PUBLISHER of the JACKSON COUNTY SENTINEL, a newspaper of general circulation published in JACKSON County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 30, June 6, June 13, and June 20, all in the year 1961.

FRED J. BUCHHEIT.

Sworn to and subscribed before me July 19, 1961.

BOBBIE B. MARSHALL,
Title Notary Public.

My commission expires Oct. 9, 1963.

By Messrs. Sessions, Perry, Morrow, Edwards, Locke, Rast and Hawkins
(with notice and proof):

H. 1255. To alter and re-arrange the boundary lines of the City of Mountain Brook, Alabama so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Jefferson County, Alabama, contiguous to said City.

Local Legislation No. 2.

Notice and Proof H. 1255:

LEGAL NOTICE

NOTICE is hereby given of intention to apply at the present session of the Legislature of Alabama, for introduction and passage of a Bill the substance of which, as distinguished from details, is and will be the substance, as distinguished from detail of the following:

A BILL
TO BE ENTITLED
AN ACT

To alter and re-arrange the boundary lines of the City of Mountain Brook, Alabama so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Jefferson County, Alabama, contiguous to said City.

Be It Enacted by the Legislature of Alabama:

Section 1. That, from and after the passage and approval of this Act the boundary lines of the City of Mountain Brook, Jefferson County, Alabama, be and the same are altered and re-arranged so as to include within the corporate limits of said City, in addition to the territory included within its present corporate limits, the territory lying and situated in Jefferson County, Alabama, contiguous to said City, more particularly described as follows:

All that part of the Southwest Quarter (SW $\frac{1}{4}$) of Northwest Quarter (NW $\frac{1}{4}$) of Section 16, Township 18 South, Range 2 West, which lies south and west of the southwesterly right of way line of U. S. Highway No. 91, sometimes known as Florida Short Route, as set out and established in that certain right of way deed to Jefferson County, Alabama, as recorded in Volume 5534, Page 139, in Record of Deeds in the Office of the Judge of Probate of Jefferson County, Alabama, and as said highway right of way is now established and exists in said quarter-quarter section, and west of the west boundary line of the triangular tract of land granted by Forney Johnston and wife to the Water Works Board of the City of Birmingham, by deed dated August 2, 1955, and recorded in Volume 5438, Page 505, in aforesaid Probate Office, or the extension thereof northwardly, said west boundary line being approximately parallel with and at a distance of 470 feet, more or less, east of the west boundary line of said section 16.

That part of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 17, Township 18 South, Range 2 West, situated in Jefferson County, Alabama, more particularly described as follows: Begin at the southeast corner of said $\frac{1}{4}$ - $\frac{1}{4}$ section and run thence northwardly along the East line thereof for a distance of 587.94 feet, to the intersection of said East line with the Northeast line of Cherokee Place, as shown by the map of a resurvey as recorded in Map Book 47, Page 16, in the Office of the Judge of Probate of Jefferson County, Alabama, of Lots 38, 39, and 40, Second Division, Mount Royal, said point of intersection being the point of beginning of the parcel here described, from the point of beginning thus obtained turn an angle to the left of 41° 57' and run Northwestwardly along the Northeast line of Cherokee Place, for a distance of 107.09 feet to the southwest corner of Lot 39, as shown by said Resurvey, run thence northeastwardly along the southeasterly line of said Lot 39, for a distance of 96.30 feet to point on the east line of said $\frac{1}{4}$ - $\frac{1}{4}$ section, run thence southwardly along the east line for a distance of 143.81 feet to the point of beginning.

Section 2. That this Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
COUNTY OF JEFFERSON

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor O. Abercrombie who, being by me first duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA LEGAL ADVERTISER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established in 1918 under the name of Southern Labor Review which said name was changed to Alabama Legal Advertiser on the 5th day of December, 1959, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of July 1, 8, 15, 22, 1961, a legal notice, a copy of which is hereto attached.

ELEANOR O. ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 22nd day of July, 1961.

MILDRED M. GRIFFIN,
Notary Public.

By Messrs. Sessions, Locke, Morrow, Hawkins, Rast and Perry (with notice and proof):

H. 1256. To alter or rearrange the boundary lines of the City of Tarrant City, Alabama so as to include within the corporate limits of said City territory not already included therein.

Local Legislation No. 2.

Notice and Proof H. 1256:

LEGAL NOTICE

TO WHOM IT MAY CONCERN:

NOTICE is hereby given that it is the intention of the undersigned property owners to submit to the Legislature of Alabama, at its present session, or any adjournment thereof, for its passage, an Act to alter, amend extend and rearrange the corporate limits of the City of Tarrant, Jefferson County, Alabama, so as to include the real estate hereinafter described, presently located adjacent and contiguous to the corporate limits of the City of Tarrant City, Jefferson County, Alabama, said property being described as follows:

All that part of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ and all that part of the SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 4, Township 17, Range 2 West, lying south of the Tarrant-Huffman Road in Jefferson County, Alabama.

Paramount Development Co., a
partnership, composed of Mary
Louise Carr, Jack D. Carr, J. M.
Grayson, Janice Wood Grayson,
C. H. Grayson, Gertie Maye Gray-
son and Margaret Ann Adams.
By Earl C. Morgan
Attorney.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
COUNTY OF JEFFERSON

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor O. Abercrombie who, being by me first duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA LEGAL ADVERTISER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established in 1918 under the name of Southern Labor Review which said name was changed to Alabama Legal Advertiser on the 5th day of December, 1959, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of July 1, 8, 15, 22, 1961, a legal notice, a copy of which is hereto attached.

ELEANOR O. ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 22nd day of July, 1961.

MILDRED M. GRIFFIN,
Notary Public.

By Messrs. Sessions, Locke, Morrow, Hawkins, Rast, and Perry:

H. 1257. To provide for and submit to the qualified electors of the State of Alabama an amendment to the Constitution of said State providing that the City of Mountain Brook, Jefferson County, shall have, in addition to the power to levy and collect ad valorem tax each year at the rate authorized immediately prior to the adoption of this amendment, the further power to levy and collect each year an additional tax of one-fourth of one per centum based upon the value of the property therein as fixed for state taxation, such additional tax to be levied only when authorized by the qualified electors of said City at an election called for such purpose, the adoption of such amendment not to affect, limit, modify, abridge, or impair the power of such City to levy and collect any special school taxes now vested or hereafter conferred upon it under the Constitution, or any amendment thereto.

Local Legislation No. 2.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Sessions, Locke, Morrow, Hawkins, Rast and Perry:

H. 1258. To apply in, and only in, counties having a population of 500,000 or more inhabitants, according to the last or any subsequent federal census, wherein the use of voting machines has been or shall be authorized; to provide for the time and manner of commencing contest in any district, municipal, county, state or federal election, whether a general, special or primary election, in any such county; to provide for the length of time the seal of each voting machine shall remain unbroken subsequent to its use in any election; to provide the date upon which this act shall become effective.

Local Legislation No. 2.

By Messrs. Sessions, Locke, Rast, Hawkins, Perry, Morrow and Edwards
(with notice and proof):

H. 1259. To amend and extend the corporate limits of the city of Mountain Brook in Jefferson County, Alabama.

Local Legislation No. 2.

Notice and Proof H. 1259:

LEGAL NOTICE

NOTICE is hereby given of intention to apply at the current regular session of the Legislature of Alabama for introduction and passage of a bill in substance as follows:

A BILL TO BE ENTITLED AN ACT

"To amend and extend the corporate limits of the City of Mountain Brook in Jefferson County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the City of Mountain Brook in Jefferson County, Alabama, are hereby altered and extended so that said boundaries shall include within the corporate limits of said City the following additional tracts or parcels of land, to-wit:

Commence at the South-east corner of SW-¼ of the NW-¼ of Section 15, Township 18, Range 2 West; Thence run West 512 feet for a point of beginning; Thence continue West 118 feet. Thence run North 210 feet, Thence run East 118 feet, Thence run South 210 feet to the point of beginning.

Also:

A part of the NW¼ of SW¼, Section 15, Township 18 South, Range 2 West, Jefferson County, Alabama, said part being more particularly described as follows:

From the northwest corner of said NW¼ of SW¼, run east along the north line thereof for 672.97 feet to the east line of the right of way of Locksley Drive for a point of beginning, thence continue east along the same line for 160.98 feet, thence right 88 degrees 38 minutes and south to the north line of the right of way of Overton Road, thence west 161 feet, more or less along said north right of way line to an intersection with the east right of way line of Locksley Drive, thence north along the east line of Locksley Drive, to the point of beginning, containing 0.16 acres, more or less.

Section 2. This act shall become effective immediately upon its passage and approval by the governor."

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF JEFFERSON

On this 28 day of July A. D. one-thousand nine hundred and 61 personally appeared before me, a Notary Public in and for the County and State aforesaid Arthur P. Cook who being duly sworn according to law, declares that he is publisher of S V Sun a newspaper published in the City of Howard, in the County of Jefferson, State of Alabama, and that the advertisement, a true copy of which is herewith attached, appeared in S V Sun on the following dates: June 22, 29, July 6, 13.

Signed ARTHUR P. COOK.

Subscribed and sworn to before me this 28th day of July A. D. 1961.

CASSIE LEE MILLER,
Notary Public.

By Messrs. Sessions, Locke, Morrow, Hawkins, Rast and Perry (with notice and proof):

H. 1260. To alter or rearrange the boundary lines of the Town of Fultondale, Alabama so as to include within the corporate limits of said Town territory not already included therein.

Local Legislation No. 2.

Notice and Proof H. 1260:

LEGAL NOTICE

TO WHOM IT MAY CONCERN:

NOTICE is hereby given that it is the intention of the undersigned property owners to submit to the Legislature of Alabama, at its next session, special or general, or any adjournment thereof, for its passage, an Act to alter, extend and rearrange the corporate limits of the Town of Fultondale, Jefferson County, Alabama, so as to include the real estate hereinafter described, presently located adjacent and contiguous to the corporate limits of the Town of Fultondale, Jefferson County, Alabama, said property being described as follows:

Begin at the northeast corner of Section 26, Township 16 South, Range 3 West, thence run west along the north line of said section 26 to the northwest corner of said Section 26; thence South along the west line of said Section 26 to the southwest corner of the northwest $\frac{1}{4}$ of said Section 26; thence east along the south line of the northwest $\frac{1}{4}$ of said Section 26 to the Southeast corner of the Northwest $\frac{1}{4}$ of said Section 26; thence south along the west line of the northwest $\frac{1}{4}$ of southeast $\frac{1}{4}$ of said Section 26, to the southwest corner of the northwest $\frac{1}{4}$ of southeast $\frac{1}{4}$ of said Section 26; thence east along the south line of the north $\frac{1}{2}$ of the southeast $\frac{1}{4}$ of said Section 26 to the southeast corner of the northeast $\frac{1}{4}$ of southeast $\frac{1}{4}$ of said Section 26; thence north along the east line of the northeast $\frac{1}{4}$ of southeast $\frac{1}{4}$ of said Section 26 to the northeast corner of the northeast $\frac{1}{4}$ of southeast $\frac{1}{4}$ of said Section 26; thence east along the south line of the southwest $\frac{1}{4}$ of northwest $\frac{1}{4}$ of Section 25, Township 16 south, Range 3 West to the southeast corner of the southwest $\frac{1}{4}$ of northwest $\frac{1}{4}$ of said Section 25; being a point on the present corporate limits of the Town of

Fultondale, Jefferson County, Alabama and thence along the present corporate limit of the Town of Fultondale, Jefferson County, Alabama, to the point of beginning; the corporate limit being more particularly described from said point as follows: From the southeast corner of the southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 25 Township 16 South Range 3 West thence north along the east line of said southwest $\frac{1}{4}$ of the northwest $\frac{1}{4}$ of said Section 25 to the south line of the L & N Railroad right-of-way; thence northerly and easterly along the south boundary of said L & N right-of-way to a point 383.2 feet east of the east line of the southwest $\frac{1}{4}$ of the northwest $\frac{1}{4}$ thence north and parallel to said east line to the south line of the north $\frac{1}{2}$ of the northwest $\frac{1}{4}$ of Section 25 Township 16 South Range 3 West thence west along said south line of said north $\frac{1}{2}$ to the southwest corner of the northwest $\frac{1}{4}$ of the northwest $\frac{1}{4}$ thence north along the west line of said northwest $\frac{1}{4}$ of the northwest $\frac{1}{4}$ which is the east line of Section 26 Township 16 South Range 3 West to the northwest corner of said quarter-quarter section and the point of beginning.

PLYLAR & HARPER, INC.;
HARPER ENTERPRISES, INC., AND
REALTY MORTGAGE COMPANY
AND HARPER ENTERPRISES, INC.,
ALSO TOWN OF FULTONDALE,
By Walker Norris.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA COUNTY OF JEFFERSON

Before me, the undersigned authority in and for said County in said State, personally appeared Mary B. Wheeler who, being by me first duly sworn, deposes and says that she is the PUBLISHER of THE BIRMINGHAM MESSENGER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of May 6, 13, 20, 27, 1961, a legal notice, a copy of which is hereto attached.

MARY B. WHEELER,
Publisher.

Sworn and subscribed to on this the 29th day of May, 1961.

SARA WHEELER,
Notary Public.

By Messrs. Edwards, Hawkins, Morrow, Locke, Perry, Rast and Sessions
(with notice and proof):

H. 1261. To alter, rearrange and extend the boundaries of the City of Lipscomb, Alabama, so as to include within the corporate limits thereof certain additional territory in Sections 25, 26 and 36, Township 18 South, Range 4 West, Jefferson County, Alabama:

Local Legislation No. 2.

Notice and Proof H. 1261:

LEGAL NOTICE

NOTICE IS HEREBY GIVEN of the intention to apply to the Legislature of Alabama for passage of a law in substance as follows:

"A BILL
TO BE ENTITLED
AN ACT"

To alter, rearrange and extend the boundaries of the City of Lipscomb, Alabama, so as to include within the corporate limits thereof certain additional territory in Sections 36, 25 and 26, Township 18 South, Range 4 West, Jefferson County, Alabama:

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the City of Lipscomb, Alabama in Jefferson County, Alabama, be and the same are hereby altered, rearranged and extended so as to include within the corporate limits of said city certain additional territory lying within the following described boundaries, to-wit:

"Begin at the southeast corner of said South half of Southwest quarter of Section 25; thence in a westerly direction along the south boundary of said half-quarter section 1243.11 feet to intersection with center line of track of Louisville and Nashville Railroad Company, said intersection being the point of beginning of boundary of tract of land herein described; thence turning an angle of 126 degrees and 15 minutes to the right in a northeasterly direction along a straight line which is the center line of said track 288.3 feet to point of beginning of the arc of a curve tangent to said straight line, said arc turning to the right, having a radius of 5729.44 feet and being subtended by a central angle of 4 degrees and 10 minutes; thence in a northeasterly direction along said arc which is the center line of said track 416.67 feet; thence in a northeasterly direction along a straight line tangent to said arc and which is the center line of said track of Louisville and Nashville Railroad Company 51.34 feet; thence turning an angle of 85 degrees and 38 minutes and 30 seconds to the left in a northwesterly direction 274.75 feet to a point, said point being a line 25.0 feet NW of and parallel with the center line of former main track of Birmingham Electric Company's street railway as said street railway existed on June 9, 1943; thence turning an angle of 110 degrees and 38 minutes to the left in a southwesterly direction along a straight line which is a line 25.0 feet NW of and parallel with said former track of Birmingham Electric Company 128.43 feet to the point of beginning of the arc of a curve tangent to said straight line; said arc turning to the right, having a radius of 662.28 feet and being subtended by a central angle of 16 degrees and 50 minutes; thence in a southwesterly direction along said arc which is a line 25.0 feet NW of and parallel with said former track of Birmingham Electric Company 194.58 feet; thence in a southwesterly direction along a straight line tangent to said arc which is 25.0 feet NW of and parallel with said former track Birmingham Electric Company 630.34 feet to intersection with the north boundary of said North half of Northwest quarter of Section 36, said north boundary forming an angle of 49 degrees and 01 minute and 30 seconds to the right from said straight line; thence continuing in a southwesterly direction along a straight line projection of the next above described course which is a line 25.0 feet NW of and parallel with said former track of Birmingham Electric Company 1729.8 feet to intersection with the west boundary of said Section 36; thence turning an angle of 40 degrees and 55 minutes and 30 seconds to the left in a southerly direction along said west boundary 188.19 feet to intersection with the center line of railroad track of Louisville and Nashville Railroad Company; thence turning an angle of 132 degrees and 55 minutes and 30 seconds to the left in a northeasterly direction along a straight line which is the center line of said track of Louisville and Nashville Railroad Company 1257.88 feet to the point

of beginning of the arc of a curve tangent to said straight line, said arc turning to the left, having a radius of 1910.08 feet and being subtended by a central angle of 10 degrees and 52 minutes and 30 seconds; thence in a northeasterly direction along said arc which is the center line of said track of Louisville and Nashville Railroad Company 362.54 feet; thence in a northeasterly direction along a straight line tangent to said arc and which is the center line of said track of Louisville and Nashville Railroad Company 477.6 feet to the point of beginning."

Section 2. That this Act shall become effective immediately upon its passage and approval by the governor or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA

COUNTY OF JEFFERSON

Before me, the undersigned Notary Public in and for the State and County aforesaid, personally appeared B. M. McElroy, Who being duly sworn, says on oath that he is EDITOR-PUBLISHER of The Bessemer Advertiser, a newspaper published in the City of Bessemer, Jefferson County, Alabama, and that a legal notice was published for four weeks, consecutively, in said newspaper, a copy of which notice is hereto attached and made a part of this affidavit, and that the dates on which same was published were: April 28, May 5, 12, 19, 1961 and that the amount indicated hereon is a true and correct statement of the charges for publishing said notice.

Affiant further states that said newspaper is a newspaper having a general circulation in the county in which it is published, and that it has been mailed under second class mailing privilege for fifty-two (52) consecutive weeks prior to the publication of the foregoing advertisement.

B. M. McELROY,
Editor-Publisher.

Subscribed and sworn to before me this the 23rd day of May, 1961.

W. E. MILLER,
Notary Public.

By Messrs. Edwards, Hawkins, Sessions, Rast, Morrow, Locke, Perry, Cornett, Lee, Rozelle, Cabiness, Dodd and Thomas:

H. 1262. To exempt radioactive fallout shelters and appurtenant property from ad valorem taxation.

Ways and Means.

By Messrs. Perry and Sessions:

H. 1263. To provide for the taking up of neglected, disabled, and cruelly treated animals; the return of such animals to the owner or keeper, and the payment of expenses thereby incurred.

Judiciary.

By Mr. Broadfoot:

H. 1264. Relating to every judicial circuit composed of only one county having two circuit judges and a population of not less than sixty thousand five hundred (60,500) and not more than sixty five thousand (65,000) inhabitants according to the last or any subsequent federal decennial census; abolishing all statutory law and equity courts now constituted in the counties composing such judicial circuits; providing for the transfer of cases now pending in said statutory law and equity courts to the courts created by this Act and to the circuit courts of such judicial circuits; abolishing the criminal jurisdiction of justice of the peace courts in every county composing such judicial circuits and further providing for the transfer of criminal cases pending in such justice of the peace courts to the courts created by this Act; creating and establishing in the counties composing such judicial circuits a court to be known as the "(name of county) County Inferior Court", defining its criminal and civil jurisdiction, providing it with officers, defining their powers, duties, compensation, term of office, and manner of their selection; regulating its procedures and process; prescribing costs and fees therein; empowering and directing the county governing bodies of all counties composing such judicial circuits to pay the compensation of the officers of the courts hereby created out of the general fund of the county treasury and to furnish quarters, books, forms, stationery, equipment and supplies requisite to the efficient functioning of such courts.

Local Legislation No. 1.

By Mr. Broadfoot:

H. 1265. To provide further for the supplemental compensation of any circuit judge (who has served continuously for more than twelve years as circuit judge) in any judicial circuit composed of only one county having two circuit judges and a population of not less than sixty thousand five hundred nor more than sixty five thousand inhabitants according to the last or any subsequent federal decennial census; providing for the payment of such supplemental compensation out of the general fund of the county composing such judicial circuit.

Local Legislation No. 1.

By Mr. Broadfoot:

H. 1266. Relating to every judicial circuit composed of only one county having two circuit judges and a population of not less than sixty thousand five hundred and not more than sixty five thousand inhabitants according to the last or any subsequent federal decennial census; extending the powers, authority and duties of the circuit solicitor of any such judicial circuit so as to empower, authorize and require that such circuit solicitor supervise the prosecution of all misdemeanors to be tried and all felonies to be heard on preliminary in any and all inferior courts located and constituted in the county composing any such judicial circuit; creating the office of deputy circuit solicitor for any such judicial circuit and prescribing the duties of such office; providing for the mode and manner of the appointment of such deputy circuit solicitor and for his compensation, and further providing that such compensation shall be paid out of the general fund of the county composing any such judicial circuit.

Local Legislation No. 1.

By Messrs. Murphy, Engel and Trimmier:

H. 1267. To propose an amendment to the Constitution relative to

the payment of pensions to certain former officers of Mobile County and the municipalities therein.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Murphy, Engel and Trimmier:

H. 1268. To provide for a program of tax equalization of all real property in any county of the state having a population of not less than 300,000 nor more than 500,000 according to the last or any subsequent federal decennial census; to place the duty, authority and responsibility for equalizing assessments of real property within such counties on the Tax Assessor of such counties; to provide for the division of such counties into districts for the purpose of tax assessment records; to require that certain records be kept and maintained on a current basis by the Tax Assessor of such counties; to describe the manner in which such records are to be kept; to provide a time within which the equalization program required herein is to be initially completed; to provide for a continuous program of appraisal of real property within such counties; to provide for the assessments of improvements to real property within such counties; to prescribe penalties for failure to assess, or properly assess, improvements to real property within such counties; to prohibit the remittance of any such penalties except as provided for by this Act; to provide for the publishing of reports of the progress of the carrying out of the provisions of the Act; to provide for a portable set of assessment records for use by appraisers appointed by the Tax Assessor; to define the duties of the Board of Tax Equalization in such counties in the matter of the equalization of assessments of real property; to provide that no outstanding obligations against the proceeds of any tax derived from assessments of real properties in such counties shall be impaired by the provisions of this Act; to provide for appeals of any assessment made by the Tax Assessor or ruling of the Board of Tax Equalization of such counties; to provide for the necessary personnel, supplies, materials, and equipment to carry out the provisions of this Act and to provide the manner in which personnel are to be appointed in such counties; to provide for the severability of the provisions of the Act; to repeal all laws or parts of laws in conflict with the provisions of this Act.

Local Legislation No. 1.

By Messrs. Murphy and Engel (with notice and proof):

H. 1269. Relating to Mobile County: To fix the compensation of the register of the circuit court of Mobile County.

Local Legislation No. 1.

Notice and Proof H. 1269:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MOBILE

NOTICE is hereby given that a bill substantially as follows will be

introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Mobile County: To fix the compensation of the register of the Circuit Court of Mobile County.

Be It Enacted by the Legislature of Alabama:

Section 1. The register of the Circuit Court of Mobile County shall receive a salary of nine thousand, six hundred dollars (\$9,600.00) per annum, which shall be paid in equal monthly installments out of the treasury of Mobile County, plus such additional compensation to which he shall now or hereafter by law be entitled for his services in the handling of absentee ballots on elections.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective upon the expiration of the term of office of the incumbent register of the Circuit Court.

PROOF OF PUBLICATION

W. F. Egan being sworn, says that he is Comptroller of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register July 1, 8, 15, 22, 1961.

W. F. EGAN.

Sworn to and subscribed before me this 22nd day of July, 1961.

D. E. MILLER, JR.,
Notary Public.

By Messrs. Murphy and Engel (with notice and proof):

H. 1270. Relating to Mobile County: To fix the compensation of the clerk of the circuit court of Mobile County.

Local Legislation No. 1.

Notice and Proof H. 1270:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MOBILE

NOTICE is hereby give that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Mobile County: To fix the compensation of the clerk of the Circuit Court of Mobile County.

Be It Enacted by the Legislature of Alabama:

Section 1. The clerk of the Circuit Court of Mobile County, Alabama, shall be entitled to an annual salary of ten thousand dollars (\$10,000), which shall be paid in equal monthly installments out of the general fund in the county treasury. The compensation herein provided for the clerk shall be in lieu of all other compensation heretofore prescribed or provided for by law.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective at the beginning of the term of office of the clerk of the Circuit Court who is elected in 1964.

PROOF OF PUBLICATION

W. F. Egan being sworn, says that he is Comptroller of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register July 1, 8, 15, 22, 1961.

W. F. EGAN.

Sworn to and subscribed before me this 22nd day of July, 1961.

DAN E. MILLER, JR.,
Notary Public.

By Messrs. Engel, Murphy and Trimmier:

H. 1271. To repeal Act No. 384, S. 286, approved November 6, 1959, entitled "An Act Relating to municipalities having a population of not less than 40,000 nor more than 50,000, according to the last or any subsequent federal decennial census; providing optional forms of government which may be adopted by such municipalities; and providing the method by which any such municipality may adopt such an optional form of municipal government," (Acts of Alabama 1959, vol. 2, p. 999).

Local Legislation No. 1.

By Messrs. Engel, Murphy and Trimmier:

H. 1272. To repeal Act No. 509, S. 570, approved August 22, 1951, entitled "An Act Relating to cities having a population of not less than 35,000 nor more than 55,000 inhabitants; authorizing such cities to levy and collect privilege license taxes on the sale of malt or brewed beverages within their police jurisdictions at the same rate as such taxes are levied within their corporate limits," (Acts of Alabama 1950-51, p. 900).

Local Legislation No. 1.

By Messrs. Engel, Murphy and Trimmier:

H. 1273. To repeal Act No. 187, S. 339, approved June 29, 1951, as amended, creating a firemen and policemen's pension and relief fund in cities having a population of not less than 45,000 nor more than 54,000 inhabitants according to the preliminary count as of April 1, 1951 of the latest federal census or which shall have such population according to any such census that may be taken hereafter, (Acts of Alabama 1950-51, p. 438).

Local Legislation No. 1.

By Messrs. Engel and Trimmier:

H. 1274. To make an appropriation to the use of America's Junior Miss Pageant, Inc., for the purpose of aiding in the promotion of America's Junior Miss Pageant.

Ways and Means.

By Messrs. Bailey, Goldthwaite, Pierce and Goodwyn:

H. 1275. To declare the public policy of the State with respect to violation of Section 420, Title 14, Code of Alabama (1940) as amended by an Act approved August 17, 1951, and as further amended by an Act approved July 24, 1953, in Counties in Alabama having a population of not less than 150,000, nor more than 250,000 inhabitants according to the last or any subsequent Federal decennial census; to determine and declare that prosecution and the impositions of criminal penalties is inadequate to prevent violations and that the remedy at law to enforce the same is inadequate in such Counties; to declare that habitual violations of the statute constitutes a legal nuisance in such Counties; to prevent unfair competition among merchants and shopkeepers by reason of violations of said statute as amended in such Counties; to provide for means and procedure and to prescribe evidentiary presumptions for the enforcement thereof by injunction and to confer jurisdiction for enforcement upon courts having equity jurisdiction in such Counties; to render the provisions of this Act severable; to declare the date on which the Act shall become effective.

Local Legislation No. 1.

By Messrs. Pierce, Bailey, Goodwyn and Goldthwaite:

H. 1276. To name the state vocational trade school located in Montgomery County the "John M. Patterson Trade School."

Education.

By Mr. Goodwyn:

H. 1277. To amend Section 240 of Title 13 of the Code of Alabama 1940.

Ways and Means.

By Mr. Goodwyn:

H. 1278. To amend Section 124 of Title 14 of the Code of Alabama of 1940.

Judiciary.

By Mr. Goodwyn:

H. 1279. To amend Section 277 of Title 15, Code of Alabama 1940.

Judiciary.

By Mr. Goodwyn:

H. 1280. To prescribe the procedure for securing the attendance of witnesses from without the State in criminal proceedings in Alabama and of witnesses within this State in criminal proceedings in other states and providing penalties for failure to obey a summons to testify issued pursuant to this Act.

Judiciary.

By Mr. Goodwyn:

H. 1281. To amend Section 33 of Title 14 of the Code of Alabama of 1940.

Judiciary.

By Mr. Goodwyn:

H. 1282. To amend Section 415 of Title 14 of the Code of Alabama of 1940.

Judiciary.

By Mr. Goodwyn:

H. 1283. To amend Section 395 of Title 14 of the Code of Alabama of 1940.

Judiciary.

By Mr. Goodwyn:

H. 1284. To provide for the punishment of an Attempt to Commit Burglary in the First Degree, Burglary in the Second Degree, Burglary in a Railroad Car and Burglary of a Motor Vehicle.

Judiciary.

By Mr. Goodwyn:

H. 1285. To create a solicitor's fund in each judicial circuit of Alabama where there does not now exist such fund; to provide for the appropriation of moneys to said fund from solicitors' fees taxed and collected in all criminal cases in all courts in such judicial circuits; and to authorize expenditures of said fund by the circuit solicitor for law enforcement and the discharge of the duties of his office.

Ways and Means.

By Mr. Goodwyn:

H. 1286. To amend Section 334 of Title 14 of the Code of Alabama of 1940.

Judiciary.

By Mr. Goodwyn:

H. 1287. To amend Section 331 of Title 14 of the Code of Alabama of 1940.

Judiciary.

By Mr. Goodwyn:

H. 1288. To amend Section 70 of Title 30, Code of Alabama 1940.

Judiciary.

By Messrs. Brewer, Dodd, Turner and Gilchrist:

H. 1289. To provide an allowance for expenses to the circuit solicitors of circuits composed of three counties having a combined population of more than 100,000.

Local Legislation No. 1.

By Messrs. Brewer and Gilchrist:

H. 1290. Authorizing counties having a population of not less than 60,000 nor more than 62,500 and not less than 36,000 nor more than 37,500, according to the last or any subsequent federal decennial census, and the municipalities within such counties, either singly or jointly, to create Airport Authority Boards; providing for the selection of the members of such boards, and prescribing their qualifications and terms; and providing for the organization, jurisdiction, powers and duties of such boards.

Local Legislation No. 1.

By Mr. Long (Perry):

H. 1291. To provide that any city in the state of more than 30,000 population according to the last or any subsequent federal decennial census which is organized under a commission from of government may come within and be governed by the provisions of this act upon the adoption and publication of an ordinance by the governing body thereof electing so to do; to provide that the members of the governing body serving at the time of the adoption of such ordinance shall continue to serve until the qualification of their successors; to provide that all laws, ordinances, resolutions and appointments in force when the municipality comes under this act shall remain in force until repealed or altered; to provide for the election and term of office of commissioners; to establish the qualifications of candidates for commissioners' positions; to provide for the distribution of the powers of the municipality among the commissioners; to provide for meetings of the board of commissioners and the manner of adopting ordinances and resolutions; to provide that no franchise, lease or right shall become effective until thirty days after the granting thereof; to provide for the election of a Recorder; to require the posting of a bond by commissioners; to prohibit commissioners from holding other public offices; to prohibit any commissioner, officer or employee of the municipality from having any interest in any contract with the municipality; to bar persons related to any commissioner from holding public office; to provide punishment for violation of such prohibitions; to require the publication of financial reports of the municipality; to provide for the filling of any vacancies that may occur in the membership of the board; to provide for the salaries of commissioners and other disbursements of the municipality; to provide that meetings of the board of commissioners shall be open to the public; and

to provide a manner for changing the form of government of the municipality.

Local Government.

By Messrs. Smith (Russell) and Torbert:

H. 1292. To amend Section 348, Title 51, Code of Alabama, 1940, and to repeal all laws and parts of laws, general or special, in conflict herewith.

Ways and Means.

By Messrs. Smith (Russell) and Pruitt:

H. 1293. To propose an amendment to the Constitution providing for the levy and collection of an additional property tax for educational purposes in each county of the state.

Ways and Means.

The above bill was read a first time at length as required by the Constitution.

By Mr. Smith (Russell):

H. 1294. To provide further for the administration of justice; authorizing the Supreme Court of Alabama to appoint duly elected and qualified circuit court judges, supernumerary justices of the Supreme Court, and supernumerary judges of the Court of Appeals and Circuit Courts to serve as justices pro tempore of the Supreme Court; and providing for the duties, compensation, expense allowances, and periods of service of such justices pro tempore.

Ways and Means.

By Mr. Smith (St. Clair) (with notice and proof):

H. 1295. To change the method of compensating certain officers of St. Clair County: Fixing the salaries of such officers, and providing for the clerical assistance, office space, equipment, and supplies necessary for the conduct of their offices.

Local Legislation No. 1.

Notice and Proof H. 1295:

LEGAL NOTICE

A BILL TO BE ENTITLED AN ACT

To change the method of compensating certain officers of St. Clair County: Fixing the salaries of such officers, and providing for the clerical assistance, office space, equipment, and supplies necessary for the conduct of their offices.

Be It Enacted by the Legislature of Alabama:

Section 1. The following officers of St. Clair County shall receive the following salaries:

- (a) Judge of Probate—twelve thousand dollars (\$12,000.00) per annum;
- (b) Sheriff—eight thousand dollars (\$8,000.00) per annum;
- (c) Tax Assessor—seven thousand five hundred dollars (\$7,500.00) per annum;
- (d) Tax Collector—seven thousand five hundred dollars (\$7,500.00) per annum;
- (e) Judges of the Inferior Court—three thousand six hundred dollars (\$3,600.00) per annum, each; and
- (f) Circuit Clerk—seven thousand five hundred dollars (\$7,500.00) per annum.

Such salaries shall be in lieu of all other compensation heretofore provided by law, and shall be paid in equal monthly installments out of the general fund of the county.

Section 2. All fees, commissions, allowances, percentages, and other charges heretofore collected for the use of the judge of probate, the judges of the inferior court, and the sheriff, tax assessor, tax collector, or circuit clerk of St. Clair County shall be collected and paid into the general fund of the county.

Section 3. The board of revenue, court of county commissioners, or other like governing body of St. Clair County shall provide the judge of probate, each judge of the inferior court, and the sheriff, tax assessor, tax collector, and circuit clerk of the county with such clerical assistance, quarters, books, stationery, office equipment, postage, and other such conveniences and supplies as are necessary for the proper and efficient conduct of their respective offices. Each of said officers shall have the authority to appoint such clerical assistants as may be authorized for his office, and such clerical assistants shall serve at the pleasure of the appointing authority. The sheriff shall also be provided with an automobile or such other automotive equipment as he chooses provided the total cost thereof does not exceed two thousand five hundred dollars (\$2,500.00).

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. This Act shall become effective upon the adoption of an amendment to the Constitution of Alabama authorizing the Legislature to fix, alter, and regulate the costs and charges of courts in St. Clair County, and the fees, commissions, percentages, allowances or salary of, and the method of compensating any officer of St. Clair County; and upon the approval of this Act by a majority of the electors of St. Clair County voting in a referendum to be held on the first Tuesday following the expiration of three months after the final adjournment of the present session of the Legislature. The governing body of St. Clair County shall order and provide for the holding of the referendum on of the votes cast in the election upon this Act are "No", such date. On the ballots to be used at the

election the question shall be stated substantially as follows: "Shall the provisions of Act No. _____, of the 1961 _____ Session of the Legislature, which changes the compensation of certain officers of St. Clair County from the fee basis to the salary basis, be adopted? Yes () No ()." If a majority of the votes cast at the election are "Yes", the provisions of this Act shall become effective, and shall become applicable to each of the offices mentioned in Section 1 hereof upon the expiration of the term of office of the present incumbent of each of such offices provided that the amendment to the Constitution of Alabama herein mentioned is also adopted. If a majority this Act shall have no effect. The results of the election however, shall be certified by the probate judge of St. Clair County to the Secretary of State, who shall make a permanent record thereof.

AFFIDAVIT OF PUBLISHER

STATE OF ALABAMA
COUNTY OF ST. CLAIR

On this 25th day of July 1961, personally appeared before me Ethel Blair, Notary Public, in and for the County and State aforesaid, Pat Cobb, who being duly sworn according to Law, declares that she is Bookkeeper for the "St. Clair News-Aegis," a newspaper published in the city of Pell City, in the County of St. Clair, State of Alabama, and that the advertisement, a true copy of which is herewith attached, appeared in the "St. Clair News-Aegis" on the following dates: 6/1, 6/8, 6/15, 6/22, 1961.

Signed PAT COBB.

Subscribed and sworn to before me, this 25th day of July, A. D., 1961.

ETHEL BLAIR,
Notary Public.

By Mr. Smith (St. Clair) (with notice and proof):

H. 1296. To provide for and require the use of voting machines for registering, recording and computing the votes at all elections hereafter held in certain election precincts or beats in St. Clair County.

Local Legislation No. 1.

Notice and Proof H. 1296:

LEGAL NOTICE A BILL TO BE ENTITLED AN ACT

To provide for and require the use of voting machines for registering, recording and computing the votes at all elections hereafter held in certain election precincts or beats in St. Clair County.

Be It Enacted by the Legislature of Alabama:

Section 1. The court of county commissioners, board of revenue, or other like governing body of St. Clair County is hereby directed and required to provide for the installation and use of voting machines for registering, recording and computing the votes at all elections, state and county, municipal and primary, hereafter held in the election precincts or

beats of St. Clair County hereinafter designated as presently constituted, to-wit: Beat 1, Beat 3, Beat 4, Beat 9 and Beat 15. The county governing body may also provide for and require the use of voting machines in other election precincts or beats, as it may consider necessary or desirable.

Section 2. The purchase price or yearly rental of the voting machines required to be installed by this Act shall be a preferred charge against the county treasury; but any municipality affected by this Act may contribute municipal funds toward payment of the cost of installing voting machines within the municipality.

Section 3. The use of voting machines at elections in St. Clair County shall be governed by the general laws regulating such use.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. The provisions of this act shall only become effective if the act is approved by a majority of the qualified electors of St. Clair County voting in a referendum election to be held for that purpose. The referendum election shall be held on the same day as the first county-wide primary, general, or special election that is held at least sixty days after the date of this enactment. The governing body of St. Clair County shall order and provide for holding the referendum election on such date. On the ballots to be used at the election the question shall be stated substantially as follows: "Shall the provisions of the act of the 1961 Regular Session of the Legislature, which provides for and requires the use of voting machines for registering, recording, and computing the votes at all elections hereafter held in certain election precincts or beats in St. Clair County, be approved? Yes () No ()." If a majority of the votes cast at the election are "Yes," the provisions of this act shall become effective immediately. If a majority of the votes cast at the election are "No," the act shall have no further effect.

AFFIDAVIT OF PUBLISHER

STATE OF ALABAMA
COUNTY OF ST. CLAIR

On this 25th day of July 1961, personally appeared before me Ethel Blair, Notary Public, in and for the County and State aforesaid, Pat Cobb, who being duly sworn according to Law, declares that she is Bookkeeper for the "St Clair News-Aegis," a newspaper published in the city of Pell City, in the County of St. Clair, State of Alabama, and that the advertisement, a true copy of which is herewith attached, appeared in the "St. Clair News-Aegis" on the following dates: 6/22, 6/29, 7/6, 7/13, 1961.

Signed PAT COBB.

Subscribed and sworn to before me, this 25th day of July, A. D., 1961.

ETHEL BLAIR,
Notary Public.

By Messrs. Callahan and Ferguson (with notice and proof):

H. 1297. TO ALTER THE CORPORATE LIMITS OF THE CITY OF

TUSCALOOSA, AND TO REARRANGE AND DEFINE THE BOUNDARIES THEREOF.

Local Legislation No. 1.

Notice and Proof H. 1297:

LEGAL NOTICE**STATE OF ALABAMA
COUNTY OF TUSCALOOSA**

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

To alter the corporate limits of the City of Tuscaloosa, Alabama, and to rearrange and define the boundaries thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the City of Tuscaloosa, in the County of Tuscaloosa, State of Alabama, be and the same are hereby altered and rearranged so as to include within the corporate limits of the said City all of the territory lying within the County of Tuscaloosa, included within the following described boundaries, namely:

As a point of beginning start at the Northwest corner of the Southeast Quarter of the Southeast Quarter of Section 21, Township 21 South, Range 9 West, which point is on the present city limits of the City of Tuscaloosa, Alabama; thence Southwardly along the West boundary of said Southeast Quarter of the Southeast Quarter to the Northeast corner of the South Half of the Southwest Quarter of the Southeast Quarter of said Section 21; thence Westwardly along the North boundary of said South Half of the Southwest quarter of the Southeast Quarter to an intersection with the Northeast boundary of U. S. Highway No. 11 (Business Route); thence Southeastwardly along the Northeast boundary of said U. S. Highway No. 11 to an intersection with the East boundary of Lot 4, Block "A", of the Avalon Park Survey, a plat of which is recorded in Plat Book 5 at Page 182, in the Probate Office of Tuscaloosa County, Alabama; thence Northwardly along the East boundary of said Lot 4, Block "A", Avalon Park to the Northeast corner of said Lot 4; thence Eastwardly and along the South boundary of the Lynn Haven Survey, a plat of which is recorded in Plat Book 5 at Page 173, in the Probate Office of Tuscaloosa County, Alabama, to the Southeast corner of said Lynn Haven Survey; thence Northwardly along the East boundary of said Lynn Haven Survey to the South boundary of the Old Birmingham Highway, thence westwardly (or slightly Southwestwardly) along the South boundary of the Old Birmingham Highway to the Northeast corner of Lot 7, Block 1, of said Lynn Haven; thence Northwestwardly to the Southeast corner of Lot 5, Block 8, Lynn Haven; thence continue Northwestwardly along the Northeast boundary of said Lot 5, which is also the Southwest boundary of Timbrook Road, to an intersection with the North boundary of the Southeast Quarter of the

Southeast Quarter of said Section 21; thence Westwardly along the North boundary of said Southeast Quarter of the Southeast Quarter to the Northwest corner of said Southeast Quarter of the Southeast Quarter, which is the point of beginning.

Section 2. That all laws and parts of law, general, special and local, in conflict with this Act be and the same are hereby repealed.

Section 3. That this Act shall go into effect immediately upon its approval by the Governor.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF TUSCALOOSA

I hereby certify that the attached notice was published in Graphic, a newspaper published in and having a general circulation in the City and County of Tuscaloosa, Alabama, once a week for four consecutive weeks: viz June 8, June 15, June 22, and June 29, 1961.

BETTY PEARY,
Legal Clerk.

Subscribed and sworn to before me on this the 17th day of July, 1961.

KARL S. ELEBASH, JR.,
Notary Public.

By Messrs. Camp and Nichols:

H. 1298. To make it unlawful for two or more persons to inveigle, entice, or take a person from his home or place of business with the intent of physically injuring such person by violence, and whip, flog, beat, or in any way assault such person; and to prescribe the penalties.

Judiciary.

By Messrs. Bevill and Shumate (with notice and proof):

H. 1299. Relating to Walker County; abolishing the county court of Walker County and establishing in lieu thereof the Walker County Law and Equity Court; defining the court's jurisdiction and powers; providing for its officers, and their powers, duties and compensation; providing for the holding of the terms and sessions of the court; providing for the rules and procedure of the court; and providing for the transfer of all cases pending in the county court of Walker County to the Walker County Law and Equity Court.

Local Legislation No. 1.

Notice and Proof H. 1299:

LEGAL NOTICE

A BILL TO BE ENTITLED AN ACT

Relating to Walker County; abolishing the county court of Walker

County and establishing in lieu thereof the Walker County Law and Equity Court; defining the court's jurisdiction and powers; providing for its officers, and their powers, duties and compensation; providing for the holding of the terms and sessions of the court; providing for the rules and procedure of the court; and providing for the transfer of all cases pending in the county court of Walker County to the Walker County Law and Equity Court.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created and established in and for Walker County the Walker County Law and Equity Court. The court shall be in lieu of the county court of Walker County which is hereby abolished.

Section 2. The Walker County Law and Equity Court shall have the following power, authority, and jurisdiction:

(a) All power, authority, and jurisdiction which was by law vested in the court hereby abolished and which is now, or hereafter may be, conferred on or vested in county courts under the general laws of this State.

(b) All power, authority, and jurisdiction which is now, or which hereafter may be, conferred on or vested in the juvenile court of Walker County.

(c) Jurisdiction concurrent with justices of the peace in Walker County in matters pertaining to bastardy proceedings.

(d) Jurisdiction concurrent with the circuit court relating to the custody of children in cases of voluntary separation of husband and wife, which are now, or which hereafter may be vested in the circuit court under the provisions of Section 79, Title 34, Code of Alabama 1940. All power, authority, and jurisdiction relating to domestic relations which is now vested in the county court of Walker County or which hereafter may be conferred on or vested in the probate courts, or which is conferred on or vested in the probate courts under the provisions of Article 3 of Chapter 4 of Title 34, Code of Alabama 1940, or any other laws relating to the duties of a husband toward his wife or any parents toward their children, and the law and equity court shall have all the power, authority, and jurisdiction conferred on or vested in the probate courts under the provisions of Chapter 7 of Title 13, or any other laws relating to juvenile delinquents, probation officers, wards of the State, and dependent children.

(e) Jurisdiction concurrent with the circuit court of Walker County of all misdemeanors committed in the county.

(f) Jurisdiction concurrent with the circuit court of Walker County in all matters pertaining to habeas corpus proceedings instituted in Walker County and in all matters pertaining to divorce proceedings held under the provisions of Chapter 2 of Title 34, Code of Alabama 1940.

Section 3. The judge of the Walker County Law and Equity Court shall be elected at the general election to be held in November, 1962, and every four years thereafter. He shall hold office for a term of four years from the first Monday after the second Tuesday in January next following his election, and until his successor shall have been elected and qualified. He shall be a resident and qualified elector of Walker County, shall be a person learned in the law, and shall have been admitted to the practice of law in the State of Alabama. He shall receive a salary of eight thousand dollars (\$8,000) per annum, payable as a preferred claim in equal monthly installments out of the general fund of the county, which shall be in lieu of

all other compensation heretofore provided by law. The judge of the law and equity court may be impeached or removed from office on the same grounds and in the same manner that the judges of county courts may be impeached or removed under the general laws of this State.

Section 4. The duly elected judge of the county court of Walker County as constituted prior to the passage of this act, shall serve as judge of the Walker County Law and Equity Court as constituted by this act until his successor shall be elected and qualified in accordance with Section 3 of this act.

Section 5. The judge of the Walker County Law and Equity Court shall have the power and authority to administer oaths and take acknowledgments to conveyances and affidavits in all cases in which such oaths, acknowledgments, and affidavits are required by law, and to solemnize the rites of matrimony. He shall have and exercise the power and authority which is now, or which hereafter may be, conferred on or vested in the judges of county courts under the general laws of this State, or which is conferred on or vested in the judge of the county court of Walker County.

Section 6. The Walker County Law and Equity Court shall be held at the courthouse in Walker County and shall be open at all times for the transaction of business. The judge of such court shall keep an office in the courthouse which office shall be provided by Walker County. The judge of the Walker County Law and Equity Court may fix the time for holding the sessions of the court for the trial of all cases, civil, criminal or equity.

Section 7. In matters of controversy in which the law and equity court is given equity jurisdiction concurrent with the circuit court under the provisions of this act, such matters shall be tried and determined in the same manner and under the same rules of practice and procedure as govern the circuit courts under the general laws of this State, and the law and equity court shall have the power and authority to enforce its orders, judgments, and decrees in such cases in the same manner as the circuit courts under the general laws of this State. In all other cases, practice and procedure in the Walker County Law and Equity Court shall conform to, and shall be governed by, the rules of practice and procedure which apply in county courts under the general laws of this State.

Section 8. In all cases in which the law and equity court exercises equity jurisdiction concurrent with the circuit court under the provisions of this act, appeals from any order, judgment, or decree of the law and equity court may be taken to the supreme court and the court of appeals in the same manner, on the same grounds, and within the same times as such appeals may be taken from any order, judgment, or decree of the circuit court.

Section 9. Except as may otherwise be provided herein, the judge of the law and equity court shall determine what papers connected with any proceedings before him shall be recorded.

Section 10. The sheriff of Walker County shall in person, or by a deputy, or deputies, appointed by him subject to the approval of the judge of the court, be required to attend upon the law and equity court and preserve order. He shall execute all writs of process and perform such other duties in this court in all respects as in the circuit courts of this State.

Section 11. In lieu of the office of solicitor of the county court of Walker County, which is hereby abolished, there is hereby created the office of the solicitor of the Walker County Law and Equity Court. The duly elected solicitor of the county court of Walker County as that office was constituted prior to the passage of this act shall serve as solicitor of the Walker County Law and Equity Court as that office is constituted by this act until his successor shall be elected and qualified in accordance with this act. A solicitor shall be elected at the general election to be held in November, 1964, and every four years thereafter. He shall hold office for a term of four years from the first Monday after the second Tuesday in January, next following his election and until his successor shall have been elected and qualified. He shall be learned in law and licensed to practice law under the laws of Alabama, and must be a citizen and a qualified elector of Walker County.

It shall be the duty of the solicitor of the Walker County Law and Equity Court to represent the State in all criminal and quasi-criminal cases in such court; to prosecute all criminal cases arising from indictments transferred to such court; to represent the State in preliminary proceedings in felony cases and habeas corpus proceedings brought before such court; and to perform the duties imposed on deputy solicitors as provided in Section 256 of Title 13 of the 1940 Code of Alabama. The solicitor is hereby empowered to administer the oath to anyone making complaint and to issue warrants of arrest for the offenses committed in Walker County in violation of Section 90, Title 34 of the 1940 Code of Alabama; to perform the duties now imposed on circuit solicitors and deputy solicitors as provided in Article 7 of Chapter 4, Title 13 of the 1940 Code of Alabama where such offenses occur and duties arise in Walker County; and in the absence of the circuit solicitor, to represent the State in the circuit court of such county, and to issue subpoenas to the witnesses to attend the grand jury of the county; to reduce the number of State's witnesses in the Walker County Law and Equity Court to be summoned, to not more than two to prove the same fact; to assist the coroner of Walker County in holding inquests and assembling evidence to be presented to the grand jury; to represent the State of Alabama in all juvenile matters brought before the law and equity court; to represent the State and the county in application to the court of probate for orders of condemnation of lands in Walker County for public uses under the right of eminent domain; and to give written opinions to, and to represent the board of finance and control or like governing body of Walker County, in all legal proceedings when requested to so do by such board of finance and control or other governing body. It shall be the additional duty of the solicitor of the law and equity court to represent the board of registrars of Walker County in all acts brought against them by any person seeking to appeal any decision of the board of registrars.

The salary of the solicitor of the Walker County Law and Equity Court is hereby fixed at the sum of forty-eight hundred dollars (\$4800) per annum, which shall be payable out of the county treasury of Walker County in twelve equal monthly installments on the last day of each month upon a warrant drawn upon the treasurer of the county by the chairman of the board of finance and control, or other like governing body of Walker County.

Section 12. The clerk of the circuit court of Walker County shall be ex officio clerk of the Walker County Law and Equity Court. As clerk of the law and equity court, he shall have the same power, jurisdiction, and authority and shall perform the same duties as may be conferred on, vested in, or required of the clerks of county courts under the general laws of the

State, or conferred on, vested in, or required of the clerk of the Walker County and Equity Court under the provisions of this act. The clerk of the law and equity court shall receive the same fees and compensation as allowed to clerks of the circuit courts in criminal cases, to be payable in the same manner.

Section 13. The clerk of the Walker County Law and Equity Court shall be ex officio register of the law and equity court, and in all matters in equity in the law and equity court he shall have the same power, jurisdiction, and authority and shall perform the same duties, including the taking of decrees pro confesso and holding references, as may be conferred on, vested in, or required of the register of the circuit court of Walker County in such cases.

Section 14. The clerk of the Walker County Law and Equity Court shall have the same power and authority and shall perform the same duties which are now, or which hereafter may be, conferred on, vested in, or required of the clerk of the juvenile and domestic relations court of Walker County, and the clerk of the juvenile and domestic relations court of Walker County is hereby relieved of such power and authority and the performance of such duties.

Section 15. The judge of the Walker County Law and Equity Court may employ a stenographic secretary, who shall receive a salary of two thousand four hundred dollars (\$2,400) a year, payable in equal monthly installments out of the treasury of Walker County in the same manner as the salaries of other county employees are paid. The stenographic secretary provided for herein shall be appointed by the judge of the law and equity court and shall serve at his pleasure.

Section 16. In all criminal cases resulting in conviction in the Walker County Law and Equity Court the defendant shall have the right of appeal to the circuit court of Walker County on entering into bond, with sufficient surety, to appear at the term of the court to which the appeal is taken, and from term to term until discharged; the bond to be in such penalty as the judge of the said Walker County Law and Equity Court may prescribe, and to be approved by the judge or clerk of said court. If the defendant does not make the bond required he shall remain in custody and said defendant may within ten days after taking said appeal, demand in said circuit court, in writing, a trial by jury; otherwise, said case shall be tried by the court without a jury. All appeals must be taken within 30 days of conviction and no appeal shall be taken after defendant has accepted judgment of the court by paying any fine adjudged.

Section 17. All criminal, equity, juvenile, or domestic relations cases pending in the county court of Walker County as constituted prior to the passage of this act shall be transferred to the Walker County Law and Equity Court as constituted by this act and in all cases in which the judge of the county court of Walker County as constituted prior to the passage of this act had continuing authority said authority shall be continued in the Walker County Law and Equity Court as constituted by this act.

Section 18. All laws or parts of laws which conflict with this act are repealed.

Section 19. The provisions of this act are severable. If any part of the

act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 20. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. Margaret Phillips, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was bookkeeper of the Daily Mountain Eagle, a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 4, July 11, July 18, and July 25, all in the year 1961.

MARGARET PHILLIPS.

Sworn to and subscribed before me July 25, 1961.

FAY O'REAR,
Title Notary Public.

By Messrs. Bevill and Shumate:

H. 1300. Proposing an amendment to the Constitution of Alabama relative to levying special school taxes in Walker County.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Bevill, Camp, Shumate and Smith (St. Clair):

H. 1301. To amend Code of Alabama 1940, Title 51, Section 565, which relates to the license payable by osteopaths and chiropractors.

Ways and Means.

By Messrs. Oakley and Grant:

H. 1302. To amend Code of Alabama 1940, Title 52, Section 20, which relates to teacher training and certification.

Education.

By Messrs. Ray, Solomon, Lee, Chambers, McLendon (Bullock), Cornett, Powell, Adams and Barnett:

H. 1303. To regulate further the length and height of certain motor vehicles and loads.

State Administration.

By Mr. Long (Lauderdale):

H. 1304. To levy an excise tax on the transportation or furnishing of natural gas by or through pipe lines maintained in this state; to provide for the collection thereof by the state department of revenue; and to appropriate the proceeds thereof.

Ways and Means.

By Messrs. Roberts and Reynolds (Madison):

H. 1305. To authorize the incorporation in any municipality in this state of one or more public corporations for the primary purpose of providing public library facilities for lease to the respective municipalities in which such corporations are organized; to provide for the election of the directors and officers of each such corporation; to specify its powers and capacities, including the exercise of the power of eminent domain; to authorize such corporation and the municipality in which it is organized to enter into leases covering projects of such corporation and to specify requirements respecting such leases; to provide that the rentals payable and the obligations created by such municipality in any such lease shall be general obligations of the municipality for which its full faith and credit may be pledged but shall be payable solely out of the current revenues of the municipality for the fiscal year during which such rents are payable and during which such agreements are required to be performed; to authorize the sale and issuance by such corporation of interest bearing revenue bonds payable solely out of the revenues from the project with respect to which they are issued; to specify provisions of said bonds and to declare them to be negotiable instruments; to authorize the issuance of refunding revenue bonds; to provide that such bonds shall be secured by a pledge of the revenues out of which they shall be payable and by a pledge of the lease from which the revenues so pledged shall be derived, and may be secured by a nonforeclosable mortgage on the project from which the revenues so pledged shall be derived; to specify the use to which the proceeds of said bonds may be put; to provide for remedies in the event of any default in any such bonds or under any such lease; to authorize the investment of funds of the corporation not presently needed; to exempt from taxation the properties of the corporation and the income therefrom, the said leases, the said bonds and the income therefrom, and the said mortgages; to provide that said bonds shall be legal investments for fiduciaries, savings banks and insurance companies; to authorize the investment of idle and surplus funds of the municipality in said bonds; to authorize the publication of notice of the adoption of the resolution authorizing said bonds and providing a short statute of limitations for the institution of actions and the making of defenses respecting the validity of said bonds, pledge, mortgage and lease; to authorize the conveyance to said corporation, with or without monetary consideration, of properties owned by the municipality whether or not necessary for the conduct of governmental or other public functions of the municipality; to provide for the vesting in the municipality of title to each project of said corporation upon payment of all bonds issued with respect to such project; and to provide for the dissolution of said corporation.

Local Government.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Harris:

H. J. R. 76. RESOLVED BY THE HOUSE, THE SENATE CON-

CURRING, That when the two Houses adjourn today they adjourn to meet at 10:00 A.M. on Friday, August 4.

On motion of Mr. Harris the rules were suspended and H.J.R. 76 was adopted.

Also:

By Mr. Branyon:

H. J. R. 77. RESOLVED BY THE HOUSE, THE SENATE CONCURRING, That the bill, H. B. 98, which has passed both houses be designated and known as "The Branyon, Barnett, Rutledge and Turner Bill."

On motion of Mr. Branyon the rules were suspended and H. J. R. 77 was adopted.

Also:

By Messrs. Oden and Bishop:

H. J. R. 78. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING:

That the road side park located on U. S. 43 north of Russellville, which lies partly in Franklin County and partly in Colbert County and adjoins Hyde Lake, is hereby designated and shall be known as "Engelhardt State Park."

BE IT FURTHER RESOLVED that the State Highway Department is authorized and directed to cause to be erected and maintained at all times at the park appropriate placques or markers showing its designation as "Engelhardt State Park."

On motion of Mr. Oden the rules were suspended and H.J.R. 78 was adopted.

Also:

By Mr. Smith (St. Clair):

H. J. R. 79. WHEREAS the members of the Legislature have heard with profound regret of the untimely death on July 31 of the Honorable Louie Glidewell, Coroner of St. Clair County; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that we deeply mourn the passing of the Honorable Louie Glidewell and extend heartfelt sympathy to his family.

RESOLVED FURTHER, That the Clerk of the House is hereby directed to transmit a copy of this resolution to Mr. Glidewell's family.

On motion of Mr. Smith (St. Clair) the rules were suspended and H.J.R. 79 was adopted.

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning House Bill 36 with a suggested Executive Amendment.

Respectfully submitted,
JOSEPH G. ROBERTSON,
Executive Secretary

AUGUST 1, 1961

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, House Bill 36, with a suggested Executive Amendment, as follows:

In Section 1 of the bill, strike out the words and figures "thence continue South along the East line of Section 27 to the Southeast corner of the Northwest quarter of the Southeast quarter of Section 27" and insert in lieu thereof the following words and figures:

"thence continue South along the East line of Section 27 to the Southeast corner of the Northeast quarter of the Southeast quarter of Section 27".

This bill is being returned with the full knowledge and approval of the author of the bill, and if the above amendment is adopted, it will remove my objection to the bill.

Respectfully,
JOHN PATTERSON,
Governor

GOVERNOR'S MESSAGE

The House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, H. 36, said Governor's amendment being set out in the above and foregoing Message from the Governor.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Boyd	Cabiness	Daniel
Adams	Brannan	Callahan	Dickson
Barnett	Brewer	Camp	Dunn
Bassett	Britton	Cates	Edwards
Bevill	Broadfoot	Chambers	Faulk
Bishop	Brooks	Cornett	Franklin

Gilchrist	Hawkins	Meade	Ray
Gilmer	Hearn	Merrill	Reynolds (Madison)
Goldthwaite	Ingram	Morrow	Rozelle
Goodwyn	Jenkins	Murphy	Shumate
Gordon	Johnson (Hardaway)	Nettles	Smith (Russell)
Grant	Johnson (J. T. Tom)	Nichols	Smith (St. Clair)
Gross	Johnston (Leonard)	Oakley	Solomon
Grouby	Jones (Covington)	Owens	Sullivan
Guthrie	Lee	Perry	Taylor
Hain	Locke	Pierce	Thomas
Hanby	Long (Perry)	Powell	Torbert
Hardy	McClendon (Chambers)	Pruitt	Turner
Harris	McCorquodale	Ramey	Turnham
Harvey	Martin		

—78

Which was a majority of the whole number elected to the House.

And said bill:

H. 36. To alter, rearrange, and extend the boundary lines and corporate limits of the Town of Autaugaville, in Autauga County, Alabama.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 69; Nays 0.

Yeas:

Mr. Speaker	Dunn	Harris	Oakley
Barnett	Edwards	Harvey	Owens
Bassett	Engel	Hawkins	Perry
Bevill	Faulk	Hearn	Pierce
Bishop	Ferguson	Ingram	Powell
Boyd	Franklin	Johnson (Hardaway)	Pruitt
Brannan	Gilchrist	Johnson (J. T. Tom)	Ramey
Britton	Gilmer	Johnston (Leonard)	Rast
Brooks	Goodwyn	Lee	Ray
Cabiness	Gordon	Locke	Rozelle
Callahan	Grant	Long (Perry)	Smith (Russell)
Camp	Gross	McClendon (Chambers)	Smith (St. Clair)
Casey	Grouby	Martin	Solomon
Cates	Guthrie	Meade	Sullivan
Chambers	Hain	Morrow	Taylor
Cornett	Hanby	Murphy	Thomas
Daniel	Hardy	Nettles	Turner
Dickson			

—69

Which was a majority of the whole number elected to the House.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 75. Relative to the election of Dr. Minnie C. Miles as first vice president of the National Federation of Business and Professional Women's Clubs.

J. E. SPEIGHT,
Secretary.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Adams to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 112, was adopted.

And the bill:

H. 112. To regulate the type, number, purchase, use, repair and maintenance of automobiles owned and operated by the state agencies; providing for the keeping of records concerning such automobiles; providing for the administration of the Act; establishing a revolving fund for the operation of an automobile pool and for the repair and maintenance of state automobiles and making an appropriation therefor; and prescribing penalties for violations of the Act.

Was taken up.

Mr. Adams offered the following substitute for the bill, H. 112:

A BILL TO BE ENTITLED AN ACT

To provide for regulation and control of motor vehicles bought for use of state officers and employees on official business, to limit the number thereof, to provide for the repair and maintenance of such motor vehicles, to provide for a transportation pool and a revolving fund, and to provide for administration of the Act and enforcement of penalties as prescribed therein.

Be It Enacted by the Legislature of Alabama:

Section 1. After the effective date of this Act, all passenger automobiles bought wholly or partially with state funds for use of state officers and employees on official business shall be standard two-door or four-door sedans with no extra equipment or accessories except heaters and spare tires, and shall not cost the state more than \$2,500 each. This section shall not apply to the limousine bought for the use of the governor or to automobiles bought for use by the state department of public safety or the alcoholic beverage control board for patrolmen, policemen, or investigators, which may be specially equipped for the purposes for which they are to be used.

Section 2. After October 1, 1961, no passenger automobile shall be bought for or assigned to any officer or employee of any state agency (which term, as used in this Act, includes boards, commissions, committees, corporations, departments, institutions, and offices) except the head of the agency or the chief executive officer of the agency if the executive authority thereof is vested in more than one person, unless his regular duties require him to travel more than 14,000 miles a year on official business, as deter-

mined by the agency head and approved by the state personnel director. If any state agency possesses more passenger automobiles on October 1, 1961, than the number required to provide an automobile for the agency head and one for every other officer or employee whose regular duties require him to travel on official business for the state in excess of 14,000 miles a year, the surplus automobiles shall be transferred to the department of finance, division of service, to be used in the operation of the transportation pool provided for in Section 3.

Section 3. A transportation pool shall be maintained at a convenient location in the City of Montgomery by the state department of finance, division of service, for the purpose of providing necessary motor vehicle transportation for state officers and employees who do not have automobiles regularly assigned to them. The chief of the division of service shall appoint a pool dispatcher, who shall, upon request of a state agency head, provide the agency with the automobile as requested. However, a pool car shall be loaned to an agency only for a single trip and shall not be assigned to any officer, employee, or other person or agency on any basis other than a trip basis. The pool dispatcher shall keep the necessary maintenance and mileage records for each pool car, and the division of service shall charge state agencies a mileage fee for the use of pool cars. Subject to approval by the director of finance, the chief of the division of service shall fix the mileage fee at an amount sufficient to pay only the cost of operating, maintaining, and replacing pool cars. Based upon monthly mileage reports submitted by the pool dispatcher, the division of service shall render mileage fee bills monthly to state agencies for their use of pool cars. The mileage fees and charges collected shall be deposited to the credit of the revolving fund provided for in Section 5.

Section 4. At least 20 automobiles shall be kept in the transportation pool provided for in Section 3 at all times for the use of state officers and employees who need transportation on official business. Surplus automobiles turned in as required in Section 2 may be sold and the proceeds of such sales shall be paid into the revolving fund.

Section 5. To finance the operation of the transportation pool and the repair, maintenance and replacement of pool cars, the sum of \$25,000 is appropriated from any funds in the state treasury not otherwise appropriated to the use of the department of finance as a revolving fund. The revolving fund shall be credited with the fees collected from state agencies for the use of pool cars. It is the intention of the Legislature that the transportation pool be made financially self-supporting from the fees charged the various state agencies for pool services.

Section 6. All passenger automobiles regularly assigned to state officers and employees, except the governor's limousine and the automobiles used for criminal investigations, shall be appropriately marked with an insignia and lettering at least four inches high placed on the panels of the right and left front doors and on the rear of the automobile. These markings shall be of such design as the governor may direct.

Section 7. It shall be a misdemeanor for any person to use or permit any other person to use any state-owned automobile for any purpose other than official state business; provided, that driving from his home to his office or other place of employment, or from his office or place of employment to his home, by an officer or employee to whom an automobile is permanently assigned shall be deemed to be an authorized use of the automobile for the purposes of this Act. This director of the state department of public safety shall be responsible for the enforcement of this

provision concerning the use of state-owned automobiles. Any improper use of a state automobile by a merit system employee shall constitute grounds for his dismissal or suspension.

Section 8. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 9. All laws or parts of laws which conflict with this Act are repealed.

Section 10. This Act shall take effect October 1, 1961.

And the substitute was adopted.

Yeas 77; Nays 4.

Yeas:

Mr. Speaker	Dickson	Hawkins	Pierce
Adams	Dunn	Ingram	Powell
Albea	Edwards	Jenkins	Pruitt
Avery	Engel	Johnson (Hardaway)	Ramey
Bailey	Faulk	Johnson (J. T. Tom)	Rast
Barnett	Ferguson	Johnston (Leonard)	Ray
Bassett	Franklin	Lee	Reynolds (Madison)
Bevill	Gilchrist	Locke	Rozelle
Bishop	Gilmer	Long (Perry)	Sessions
Boyd	Goldthwaite	McClendon (Chambers)	Smith (Russell)
Brannan	Goodwyn	Martin	Smith (St. Clair)
Brewer	Gordon	Meade	Solomon
Britton	Grant	Morrow	Speaks
Brooks	Gross	Murphy	Sullivan
Cabiness	Grouby	Nettles	Taylor
Camp	Hanby	Oakley	Thomas
Casey	Hankins	Oden	Torbert
Cates	Hardy	Owens	Turner
Chambers	Harvey	Perry	Turnham
Daniel			

—77

Nays:

Messrs.	Salter	Self	Shumate
Guthrie			

—4

Mr. Callahan offered the following amendment to the bill, H. 112, as amended:

Amend the bill, H. 112, as amended, by adding Sec. 7½ as follows:

Provided, however, this act shall not apply to the Alabama State Hospitals, and Institutions of Higher Learning.

On motion of Mr. Oden the amendment offered by Mr. Callahan was laid upon the table.

Yeas 54; Nays 13.

Yeas:

Mr. Speaker	Copeland	Hawkins	Pierce
Albea	Daniel	Ingram	Powell
Avery	Dunn	Johnson (J. T. Tom)	Pruitt
Barnett	Engel	Jones (Covington)	Rast
Bassett	Ferguson	Lee	Ray
Bevill	Franklin	Long (Perry)	Self
Boyd	Gilchrist	McCorquodale	Shumate
Brewer	Gilmer	Martin	Smith (St. Clair)
Britton	Goldthwaite	Nettles	Speaks
Broadfoot	Gordon	Oakley	Sullivan
Brooks	Grant	Oden	Taylor
Cabiness	Grouby	Owens	Thomas
Camp	Hankins	Perry	Turner
Casey	Harvey		

—54

Nays:

Messrs.	Edwards	Meade	Sessions
Bishop	Guthrie	Morrow	Smith (Russell)
Brannan	Johnson (Hardaway)	Ramey	Turnham
Cates	Locke		

—13

The motion of Mr. Adams to lay on the table the motion of Mr. Smith (Russell) to postpone further consideration of the bill, H. 112, as amended, until the next legislative day was lost.

Yeas 39; Nays 41.

Yeas:

Messrs.	Cabiness	Grouby	Powell
Adams	Camp	Ingram	Ramey
Albea	Casey	Jenkins	Rozelle
Avery	Chambers	Johnson (Hardaway)	Self
Bailey	Copeland	Johnson (J. T. Tom)	Smith (St. Clair)
Barnett	Daniel	Jones (Covington)	Solomon
Bassett	Ferguson	McClendon (Chambers)	Speaks
Brannan	Goldthwaite	Martin	Taylor
Brewer	Gordon	Nettles	Turner
Brooks	Grant	Oden	Turnham

—39

Nays:

Mr. Speaker	Faulk	Hawkins	Pierce
Bevill	Franklin	Johnston (Lennard)	Pruitt
Bishop	Gilchrist	Lee	Rast
Boyd	Goodwyn	Locke	Reynolds (Madison)
Branyon	Gross	Long (Lauderdale)	Sessions
Britton	Guthrie	Long (Perry)	Shumate
Broadfoot	Hanby	Meade	Smith (Russell)
Callahan	Hankins	Merrill	Sullivan
Cates	Harris	Morrow	Thomas
Dickson	Harvey	Perry	Torbert
Edwards			

—41

And the motion of Mr. Smith (Russell) to postpone further consideration of the bill, H. 112, as amended, until the next legislative day was adopted.

BILLS ON THIRD READING RESUMED SPECIAL ORDER

The House again proceeded to the consideration of the special order.

And the bill:

H. 184. To amend Section 8 of Title 26, Code of Alabama 1940, as last amended, the same relating to the Board of Appeals for the Alabama Department of Industrial Relations.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Engel	Ingram	Perry
Adams	Ferguson	Jenkins	Pierce
Albea	Franklin	Johnson (Hardaway)	Powell
Bailey	Gilchrist	Johnson (J. T. Tom)	Pruitt
Bassett	Gilmer	Johnston (Leonard)	Ramey
Bevill	Glass	Jones (Covington)	Rast
Bishop	Goldthwaite	Lee	Ray
Brannan	Goodwyn	Locke	Reynolds (Madison)
Branyon	Gordon	Long (Lauderdale)	Rozelle
Brewer	Grant	Long (Perry)	Self
Britton	Gross	McClendon (Chambers)	Sessions
Broadfoot	Guthrie	McCorquodale	Smith (Russell)
Cabiness	Hanby	Martin	Smith (St. Clair)
Callahan	Hankins	Meade	Solomon
Camp	Hardy	Merrill	Speaks
Cates	Harris	Morrow	Sullivan
Copeland	Harvey	Murphy	Thomas
Daniel	Hawkins	Nettles	Torbert
Dunn	Hearn	Oakley	Turner
Edwards			

—77

And the bill:

H. 187. To amend Section 251 of Title 26, Code of Alabama 1940, as last amended, the same relating to penalties for violations of the Unemployment Compensation Law.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Dunn	Hearn	Pierce
Adams	Edwards	Ingram	Powell
Albea	Faulk	Jenkins	Pruitt
Bailey	Ferguson	Johnson (Hardaway)	Ramey
Barnett	Franklin	Johnson (J. T. Tom)	Rast
Bassett	Gilchrist	Johnston (Leonard)	Ray
Bevill	Gilmer	Jones (Covington)	Reynolds (Madison)
Bishop	Glass	Locke	Roberts
Brannan	Goldthwaite	Long (Lauderdale)	Rozelle
Branyon	Gordon	Long (Perry)	Self
Brewer	Grant	McClendon (Chambers)	Sessions
Britton	Gross	McCorquodale	Smith (St. Clair)
Broadfoot	Guthrie	Martin	Solomon
Cabiness	Hanby	Meade	Speaks
Callahan	Hankins	Morrow	Sullivan
Camp	Hardy	Murphy	Torbert
Chambers	Harris	Nettles	Turner
Copeland	Harvey	Oakley	
Daniel	Hawkins	Perry	

—74

And the bill:

H. 188. To amend Section 181 of Title 26, Code of Alabama 1940, to provide for the exercise by the director of unemployment compensation of the powers and duties of the director of industrial relations, in so far as they pertain to unemployment compensation, during the interim in which there is no duly appointed and qualified director of industrial relations.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Daniel	Harris	Nettles
Adams	Dickson	Harvey	Nichols
Albea	Dunn	Hawkins	Oakley
Avery	Edwards	Hearn	Perry
Bailey	Engel	Ingram	Pierce
Barnett	Faulk	Jenkins	Powell
Bassett	Ferguson	Johnson (Hardaway)	Pruitt
Bevill	Franklin	Johnson (J. T. Tom)	Ramey
Bishop	Gilchrist	Johnston (Leonard)	Rast
Branyon	Gilmer	Jones (Covington)	Ray
Brewer	Glass	Lee	Reynolds (Madison)
Britton	Goldthwaite	Locke	Roberts
Broadfoot	Goodwyn	Long (Perry)	Rozelle
Brooks	Gordon	McClendon (Chambers)	Self
Cabiness	Grant	McCorquodale	Sessions
Callahan	Gross	Martin	Smith (St. Clair)
Camp	Guthrie	Meade	Solomon
Cates	Hanby	Merrill	Speaks
Chambers	Hankins	Morrow	Sullivan
Copeland	Hardy	Murphy	Torbert

—80

MOTION TO ADJOURN LOST

The motion of Mr. Taylor that the House adjourn until Friday, August 4, 1961, at ten o'clock A.M. was lost.

Yeas 41; Nays 41.

Yeas:

Messrs.	Casey	Grant	Murphy
Albea	Chambers	Gross	Nettles
Avery	Daniel	Guthrie	Nichols
Barnett	Dickson	Hankins	Perry
Brannan	Dunn	Johnson (J. T. Tom)	Powell
Brewer	Edwards	Johnston (Leonard)	Ramey
Broadfoot	Faulk	Long (Lauderdale)	Self
Brooks	Ferguson	McCorquodale	Sessions
Cabiness	Gilchrist	Martin	Solomon
Callahan	Goldthwaite	Morrow	Taylor
Camp	Gordon		

—41

Nays:

Mr. Speaker	Gilmer	Johnson (Hardaway)	Ray
Adams	Glass	Jones (Covington)	Reynolds (Madison)
Bailey	Goodwyn	Locke	Roberts
Bassett	Hanby	McClendon (Chambers)	Rozelle
Bevill	Hardy	Meade	Salter
Bishop	Harris	Merrill	Smith (St. Clair)
Britton	Harvey	Oakley	Speaks
Copeland	Hawkins	Pierce	Sullivan
Cornett	Ingram	Pruitt	Torbert
Engel	Jenkins	Rast	Turner
Franklin			

—41

BILLS ON THIRD READING RESUMED

SPECIAL ORDER

The House again proceeded to the consideration of the special order.

And the bill:

H. 189. To amend Sections 344, 347, 349, 353, 354, 357, 362, 363, 365, 366, and 367, of Title 26, Code of Alabama 1940, as last amended; and to repeal Section 364, of Title 26, Code of Alabama 1940.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Bevill	Brooks	Copeland
Adams	Bishop	Cabiness	Cornett
Albea	Brannan	Callahan	Daniel
Avery	Branyon	Camp	Dickson
Bailey	Brewer	Casey	Dunn
Barnett	Britton	Chambers	Edwards
Bassett			

Engel	Hardy	McCorquodale	Rast
Ferguson	Harris	Martin	Ray
Franklin	Harvey	Meade	Reynolds (Madison)
Gilchrist	Hawkins	Merrill	Roberts
Gilmer	Hearn	Morrow	Rozelle
Glass	Ingram	Murphy	Self
Goldthwaite	Jenkins	Nettles	Sessions
Goodwyn	Johnson (Hardaway)	Nichols	Smith (St. Clair)
Gordon	Johnson (J. T. Tom)	Oakley	Solomon
Grant	Johnston (Leonard)	Perry	Speaks
Gross	Jones (Covington)	Pierce	Sullivan
Guthrie	Locke	Powell	Taylor
Hanby	Long (Perry)	Pruitt	Torbert
Hankins	McClendon (Chambers)	Ramey	Turner

—81

And the bill:

H. 358. To amend Section 213, Title 26, Code of Alabama, 1940, as amended, the same relating to benefit eligibility conditions for unemployment compensation.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 50; Nays 31.

Yeas:

Mr. Speaker	Gilchrist	Johnson (Hardaway)	Powell
Adams	Gilmer	Jones (Covington)	Pruitt
Avery	Glass	Lee	Ramey
Bailey	Goodwyn	Locke	Rast
Bassett	Grant	McClendon (Chambers)	Ray
Brannan	Gross	Martin	Reynolds (Madison)
Brewer	Guthrie	Meade	Roberts
Britton	Hardy	Morrow	Sessions
Cornett	Harvey	Nettles	Smith (Russell)
Edwards	Hawkins	Oakley	Solomon
Faulk	Hearn	Perry	Torbert
Ferguson	Ingram	Pierce	Turner
Franklin	Jenkins		

—50

Nays:

Messrs.	Camp	Hanby	Owens
Albea	Casey	Harris	Rozelle
Bevill	Cates	Johnson (J. T. Tom)	Salter
Bishop	Copeland	Johnston (Leonard)	Self
Broadfoot	Daniel	Long (Lauderdale)	Shumate
Brooks	Dickson	Long (Perry)	Smith (St. Clair)
Cabiness	Engel	Merrill	Speaks
Callahan	Grouby	Murphy	Sullivan

—31

And the bill:

H. 360. To amend Section 202, Title 26, Code of Alabama 1940, as amended, the same relating to contributions by employees to the unemployment compensation trust fund.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 64; Nays 12.

Yeas:

Mr. Speaker	Dunn	Hawkins	Pruitt
Adams	Edwards	Hearn	Ramey
Albea	Ferguson	Ingram	Rast
Bailey	Franklin	Jenkins	Ray
Barnett	Gilchrist	Jones (Covington)	Reynolds (Madison)
Bishop	Gilmer	Locke	Roberts
Brannan	Glass	McClendon (Chambers)	Rozelle
Branyon	Goldthwaite	Martin	Salter
Brewer	Goodwyn	Morrow	Self
Broadfoot	Gordon	Nettles	Sessions
Brooks	Crant	Nichols	Smith (Russell)
Cates	Guthrie	Oakley	Solomon
Chambers	Hankins	Owens	Speaks
Cornett	Hardy	Perry	Taylor
Daniel	Harris	Pierce	Torbert
Dickson	Harvey	Powell	Turner

—64

Nays:

Messrs.	Callahan	Copeland	Johnston (Leonard)
Avery	Camp	Engel	Murphy
Bevill	Casey	Hanby	Shumate
Cabiness			

—12

And the bill:

H. 182. (with substitute): To amend Section 207, Title 26, Code of Alabama 1940, as last amended, the same pertaining to weekly unemployment benefit amounts for unemployment.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Judiciary, said committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 207, Title 26, Code of Alabama, 1940, as last amended, the same pertaining to weekly unemployment benefit amounts.

Be it Enacted by the Legislature of Alabama:

SECTION 1. Section 207, Title 26, Code of Alabama, 1940, as last amended, is hereby amended to read as follows:

Sec. 207. Weekly Benefit Amount.—An individual's weekly 'benefit amount' shall be the amount appearing in Column B in the table of this section on the same horizontal line on which in Column A of such table,

there appears the total wages for insured work paid to such individual in that quarter of his base period in which such total wages were highest; except that this weekly benefit amount shall not apply to benefit years beginning prior to the effective date of this Act.

Column A Wages paid in highest Quarter in Base Period	Column B Weekly Benefit Amount
221.00 and under	\$ None
221.01-247.00	9.00
247.01-273.00	10.00
273.01-299.00	11.00
299.01-325.00	12.00
325.01-351.00	13.00
351.01-377.00	14.00
377.01-403.00	15.00
403.01-429.00	16.00
429.01-455.00	17.00
455.01-481.00	18.00
481.01-507.00	19.00
507.01-533.00	20.00
533.01-559.00	21.00
559.01-585.00	22.00
585.01-611.00	23.00
611.01-637.00	24.00
637.01-663.00	25.00
663.01-689.00	26.00
689.01-715.00	27.00
715.01-741.00	28.00
741.01-767.00	29.00
767.01-793.00	30.00
793.01-819.00	31.00
819.01-845.00	32.00
845.01-and over	33.00

SECTION 2. This Act shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming a law.

And the substitute was adopted.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Cates	Goldthwaite	Johnson (J. T. Tom)
Adams	Chambers	Grant	Johnston (Leonard)
Albea	Copeland	Grouby	Jones (Covington)
Bailey	Cornett	Cuthric	Locke
Bevill	Daniel	Hanby	Long (Perry)
Bishop	Dickson	Hankins	McClendon (Chambers)
Brannan	Dunn	Hardy	McCorquodale
Branyon	Edwards	Harris	Martin
Brewer	Engel	Harvey	Meade
Broadfoot	Ferguson	Hawkins	Merrill
Brooks	Franklin	Hearn	Morrow
Cabiness	Gilchrist	Ingram	Murphy
Camp	Gilmer	Jenkins	Nettles
Casey	Glass	Johnson (Hardaway)	Nichols

Oakley	Ramey	Salter	Speaks
Owens	Rast	Self	Sullivan
Perry	Ray	Sessions	Taylor
Pierce	Reynolds (Madison)	Shumate	Torbert
Powell	Roberts	Smith (Russell)	Turnham
Pruitt	Rozelle	Solomon	

—80

And said bill, H. 182, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Daniel	Hearn	Pierce
Adams	Dickson	Ingram	Powell
Albea	Dunn	Jenkins	Pruitt
Avery	Edwards	Johnson (Hardaway)	Ramey
Bailey	Engel	Johnson (J. T. Tom)	Rast
Barnett	Faulk	Johnston (Leonard)	Reynolds (Madison)
Bevill	Ferguson	Jones (Covington)	Roberts
Bishop	Gilchrist	Locke	Rozelle
Brannan	Gilmer	Long (Perry)	Self
Branyon	Glass	McClendon (Chambers)	Sessions
Brewer	Gordon	McCorquodale	Shumate
Broadfoot	Grant	Meade	Smith (St. Clair)
Brooks	Gross	Merrill	Solomon
Cabiness	Grouby	Morrow	Speaks
Callahan	Guthrie	Murphy	Sullivan
Camp	Hanby	Nettles	Taylor
Casey	Hankins	Nichols	Torbert
Cates	Hardy	Oakley	Turner
Chambers	Harris	Owens	Turnham
Copeland	Harvey	Perry	
Cornett	Hawkins		

—81

And the bill:

H. 357. (with substitute) (with amendment): To amend Section 204, Title 26, Code of Alabama, 1940, as amended, the same pertaining to experience rating, rates and contribution for unemployment compensation.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Judiciary, said committee substitute being as follows:

A BILL TO BE ENTITLED AN ACT

To amend Section 204, Title 26, Code of Alabama, 1940, as amended, the same pertaining to experience rating, rates and contribution for unemployment compensation.

Be It Enacted by the Legislature of Alabama:

SECTION 1. That Section 204, Title 26, Code of Alabama, 1940, as amended, be amended to read as follows:

"Sec. 204. Experience Rating, Rates and Contributions.—A. (1) For the twelve-month period beginning on the 1st day of April 1941, and each twelve-month period beginning on the 1st day of April thereafter, the contribution rates of each employer whose employment record has been chargeable with benefit wages during not less than the three consecutive calendar years immediately preceding any such 1st day of April and of his employees shall be determined by the unemployment compensation fund's maximum liability for benefits to his employees who have received benefits, modified by the state experience as to average duration of benefit payments as provided herein, except that,

(2) For the twelve-month period beginning on the first day of April 1956 and for each twelve-month period beginning on the first day of each April thereafter, any employer who has not been subject to the law for a sufficient period to qualify for a rate determination under subsection A (1) of this section but whose employment record has been chargeable with benefit wages throughout at least the calendar year immediately preceding such first day of April shall have his rate and that of his employees determined by the unemployment compensation fund's maximum liability for benefits to his employees who have been paid benefits, modified by the State experience as of the most recent December 31 as to average duration of benefit payments as provided herein.

(3) Subsequent to January 1, 1955, any employer who has not been subject to the law for a sufficient period to qualify for a rate determination under subsection A (1) or (2) of this section but whose employment record has been chargeable with benefit wages throughout a four-consecutive calendar-quarter period ending on March 31, June 30, or September 30, as the case may be, shall have his rate and the rate of his employees determined by the unemployment compensation fund's maximum liability for benefits to his employees or former employees who have been paid benefits modified by the State experience as of the most recent December 31 as to average duration of benefit payments as herein provided. The rates so determined shall be effective for the period beginning on the first day of the fourth month following such March 31, June 30, or September 30, as the case may be, and ending on the following March 31. Rates under this paragraph will first be computed for the period beginning July 1, 1955.

(4) If the director finds that an employer's business is closed solely because of the entrance of one or more of the owners, officers, partners, or the major stockholders into the armed forces of the United States, or any of its allies, after July 1, 1950, such employer's experience rating account shall not be terminated; and, if the business is resumed within two years after the discharge or release from active duty in the armed forces of such persons or persons, the employer's experience shall be deemed to have been continuous throughout such period. The benefit wage percentage of any such employer for the calendar year in which he resumes business and the three calendar years immediately following shall be a percentage equal to the total of his benefit wages (including any benefit wages resulting from the payment of benefits to any individual during the period the employer was in the armed forces based upon wages paid by him prior to his entrance into such forces) for the three most recent calendar years divided by that part of his total payroll, with respect to which contributions have been paid for the three most recent calendar

years during the whole of which, respectively, such employer has been in business. This provision does not authorize cash refunds. Any adjustments required hereunder shall be only by credit certificates.

B. The employee's benefit wages shall be determined as follows:

(1) When, in any benefit year, an employee was first paid benefits after December 31, 1937, and before July 1, 1943, for total or partial unemployment, his wages for employment after December 1, 1936, during the then base period as defined for such benefit year by the Alabama Unemployment Compensation Law in effect with respect to such benefit year and with respect to which benefits were paid, shall be the employee's benefit wages.

(2) When, in any benefit year during which an employee has not been paid any benefits prior to July 1, 1943, such employee is paid benefits after June 30, 1943, for the second compensable week of total, or partial unemployment, his wages during his base period shall be employee's benefit wages; except that wages paid to an employee during his base period for part-time employment by an employer who continues to give the employee employment to the same extent, while he is receiving benefits as he did during his base period, shall not be determined to be employee's benefit wages. The employer shall establish the continuation of work to the satisfaction of the director by submitting such information as the director may require within four days after the date of notification or mailing of notice by the director that the employee has first filed a claim for benefits.

(3) As to any employee who is a "maritime worker" wages of such employee during a base period shall be multiplied by a fraction, the numerator of which is his average quarterly earnings in his base period and the denominator of which is his highest of any quarter in his base period. No wages in excess of \$3,000 paid to an employee in his base period by any one employer shall be deemed benefit wages.

(4) When in the determination of an employee's benefit wages, wages that have been included once in an employee's benefit wages for one benefit year or in an employee's wages for one base period such wages shall not thereafter be included again in his benefit wages for any other benefit year or in his wages for any other base period respectively.

In computing an employee's benefit wages under paragraphs 2, 3, and 4 of this subsection, no earnings in excess of \$3,000 paid to him in his base period by any one employer shall be deemed benefit wages. It is the intent of this provision that no one employer be charged with benefit wages in excess of \$3,000 because of the receipt of benefits in a benefit year by one of his workers or former workers.

C. (1) For employers who qualify for a rate determination under subsection A (1) or (2) of this section employer's benefit wages for each and every calendar year shall be the total of the benefit wages received from him by all of his employees of former employees who were paid their second benefit payment of a given benefit year in such calendar year.

(2) Subsequent to March 31, 1955, for employers who qualify for a rate determination under subsection A (3) of this section, employer's benefit wages shall be the total of the benefit wages received from him by all of his employees or former employees who were paid their second benefit

payment for a given benefit year in a period of at least four but not more than twelve-consecutive-calendar-quarters ending on March 31, June 30 or September 30, as the case may be.

(3) The director shall analyze the benefit payments made in and the employee and employer benefit wages for the calendar years 1938, 1939, and 1940 and for each calendar year thereafter and determine each employer's benefit wages for all such calendar years respectively.

(4) Notwithstanding any inconsistent provisions of this chapter, if after the last day of any claimant's benefit year but within the thirty days next following thereafter, an employer for whom benefit wage charges were made as a consequence of such claimant's receipt of benefits alleges that he had reemployed such claimant within the claimant's benefit year, and the director finds that such employee received in benefits a total amount aggregating not more than twenty-five per cent of the maximum benefit payments to which he was entitled within such benefit year, because of such reemployment, the employer's benefit wage record shall be credited with seventy-five per cent of the benefit wages previously charged against him relating to such claimant's previous employment; or if the director finds that such employee received in benefits an amount aggregating more than twenty-five per cent but not more than fifty per cent of the maximum benefits to which he was entitled within such benefit year, because of such reemployment, the employer's benefit wage record shall be credited with fifty per cent of the benefit wages previously charged against him relating to such claimant's previous employment; or if the director finds that such employee received in benefits a total amount aggregating more than fifty per cent but not more than seventy-five per cent of the maximum benefits to which he was entitled within such benefit year, because of such reemployment, the employer's benefit wage record shall be credited with twenty-five per cent of the benefit wages previously charged against him relating to such claimant's previous employment. Provided, however, that such credits shall be made for the calendar year, or for employers qualifying for rate determination under the provisions of Section 204 A (2) hereof for the calendar quarter, in which the finding is made by the director and no attempt shall be made to relate such credits to the period in which the rehire occurred; "reemployment" meaning performing services for remuneration.

(5) The director shall after the close of each calendar quarter furnish each employer with a statement of the wages of his workers, or former workers, which became his benefit wages in that calendar quarter, together with the names of such workers, or former workers, and such statement, in the absence of an application for a revision thereof within ninety days of the mailing of such statement to the employer's last known address, shall be conclusive and final upon the employer for all purposes and in all proceedings whatsoever. Such application for revision shall be in the form and manner prescribed by regulation of the director. Upon receipt of within the time allowed, an application for revision of such statement, the director shall allow such application in whole or in part, or shall deny such application and shall serve notice upon the employer of such decision. Such decision of the director shall be final and conclusive on the employer at the expiration of thirty days from the date of service of such notice unless the employer shall within the said thirty-day period file with the director a written protest and a petition for hearing, specifying his objections thereto. Upon receipt of such petition the director shall fix a time and place for a hearing and shall notify the employer thereof. At any hearing held as herein provided, the decision of the director shall be prima facie correct, and the burden shall be upon the protesting employer

to prove it is incorrect. No employer shall have the right to object to the benefit wages with respect to any worker as shown on such statement unless he shall first show that such benefit wages arose as a result of benefits paid to such worker in accordance with a determination, or redetermination to which such employer was a party entitled to notice thereof, as provided by Article 5 of this chapter, and shall further show that he was not notified of such determination or redetermination in accordance with the requirements of said Article 5 of this chapter. Nothing herein contained shall affect the right of any employer at such hearing to object to such statement of benefit wages on the ground that it is incorrect by reason of a clerical error made by the director or any of his employees. The employer shall be promptly notified by mail of the director's decision. Such decision shall be final and conclusive unless an appeal is taken therefrom in the manner and within the time prescribed in paragraph H of this section.

Nothing herein contained shall be construed as limiting or affecting in any manner the right and authority of the director to remove benefit wage charges from any employer's account upon discovering or being aware of any such employer's workers or former workers having drawn benefits by reason of false representations of their earnings while filing claims for benefits.

Nothing herein contained shall be construed to authorize, permit, or require credits to an employer's benefit wage record of employer benefit wages for any calendar year prior to January 1, 1949, it being the intention of the Legislature to make this part of the law relative to crediting employer wage records effective only as to wage charges made to employer's wage records on and after January 1, 1949.

D. (1) The benefit wage percentage of each employer who qualifies for rate determination under subsection A (1) of this section shall be a percentage determined by dividing the total of his benefit wages for the three most recent preceding calendar years by that part of his total taxable payroll for the same three years, with respect to which contributions have been paid on or before January 31 next following such three-calendar-year period.

(2) The benefit wage percentage of each employer who qualifies for a rate determination under subsection A (2) of this section shall be a percentage determined by dividing the total of his benefit wages for a period of not less than one but less than the three most recent preceding calendar years by that part of his total taxable payroll for the same period, with respect to which contributions have been paid on or before January 31 next following such period.

(3) The benefit wage percentage of each employer who qualifies for a rate determination under subsection A (3) of this section shall be a percentage determined by dividing the total of his benefit wages for the period throughout which he was chargeable with benefit wages, such period not to be less than four or more than twelve-consecutive calendar quarters ending on March 31, June 30 or September 30, as the case may be, by that part of his total taxable payroll for the same period with respect to which contributions have been paid on or before the last day of the month following such period throughout which he was chargeable with benefit wages.

E. From the total amount of benefits paid from the unemployment compensation trust fund during each calendar year there shall be subtracted all amounts credited to the fund during each such calendar year

other than employers' and employees' contributions, and money credited to this state's account in the unemployment compensation trust fund pursuant to section 903 of the Social Security Act, as amended, and the remainder shall be termed the "amount required for the fund" for each calendar year. The "state experience factor" for each such calendar year shall be a percentage determined by dividing the total of the amounts required for the fund for the three most recent calendar years by the state-wide total of benefit wages of all employers for the three most recent calendar years and by adjusting to the next highest multiple of one percent (1.0%). The state experience factor shall be determined annually prior to the 15th day of March of the calendar year for which the determination is made.

F. The contribution rates for each employer and his employees as provided in subsection A, paragraphs (1), (2) and (3) of this section shall be determined by the director and the director shall notify each employer of the state experience factor, his benefit wage percentage, and his contribution rate within thirty days after the effective date of such rate, and of his employees' contribution rate not less than five days prior to the effective date of such rate. Except as provided in paragraph 4 subsection G of this section, such contribution rates shall be determined from the first 10 columns of the following table and shall be the rates, as indicated for employers and employees respectively, appearing at the bottom of the lowest numbered column in which there appears, on the same horizontal line in which is found in the column headed "state experience factor," the state experience factor for the then calendar year, a percentage equal to or in excess of such employer's benefit wage percentage for the then calendar year. The maximum employer's contribution rate under this subsection shall be two and seven tenths per cent (2.7%), and the contribution rate of the employees of the said employer shall be one-fourth of one percent (0.25%).

*

G. Contribution rates for each employer and his employees determined pursuant to subsection F of this section shall nevertheless be subject to increase as hereinafter provided.

(1) The "benefits pay roll ratio" of the state for each calendar year shall be determined by dividing the total of benefits paid from the unemployment compensation fund within such year by the state-wide total of taxable payrolls (with respect to which contributions have been paid on or before January 31 of such year) of all employers for the calendar year immediately preceding the calendar year within which such benefits have been paid and by adjusting the quotient to the nearest multiple of one-thousandth.

(2) The "minimum normal amount" of the unemployment compensation fund for each calendar year shall be one and one-half times the amount determined by multiplying the highest state-wide total of taxable payrolls (with respect to which contributions have been paid on or before January 31 of such year) of all employers for any of the three most recent preceding calendar years by the highest benefits payroll ratio for any of the ten most recent preceding calendar years.

(3) Whenever at the end of any calendar year the benefits paid from the unemployment compensation fund within the three-year period including and ended with said calendar year and the contributions paid within such three-year period have been in such amounts that the fund becomes greater than the minimum normal amount for the calendar year immediately succeeding such three-year period, the director shall on or before March 15 of said immediately succeeding calendar year so declare, and effective for

* See Table on following page.

1903

State Experience Factor	Col. 1 Employer's	Col. 2 Benefit	Col. 3 Wage	Col. 4 Percentage	Col. 5 Employer's	Col. 6 Benefit	Col. 7 Wage	Col. 8 Percentage	Col. 9 Employer's	Col. 10 Benefit	Col. 11 Wage	Col. 12 Percentage	Col. 13
1% —	50.00%	75.00%	100.00%	125.00%	150.00%	175.00%	200.00%	225.00%	250.00%	270.00%	300.00%	330.00%	Benefit Wage Percentage in Excess of Column 12 of This Table.
2 —	25.00	37.50	50.00	62.50	75.00	87.50	100.00	112.50	125.00	135.00	150.00	165.00	
3 —	16.75	25.00	33.25	41.50	50.00	58.25	66.75	75.00	83.25	90.00	100.00	110.00	
4 —	12.50	18.75	25.00	31.25	37.50	43.75	50.00	56.25	62.50	69.50	75.00	82.50	
5 —	10.00	15.00	20.00	25.00	30.00	35.00	40.00	45.00	50.00	54.00	60.00	66.00	
6 —	8.25	12.50	16.75	20.75	25.00	29.25	33.25	37.50	41.75	45.00	50.00	55.00	
7 —	7.25	10.75	14.25	17.75	21.50	25.00	28.50	32.00	35.75	38.50	42.75	47.00	
8 —	6.25	9.50	12.50	15.75	18.75	22.00	25.00	28.00	31.25	33.75	37.50	41.25	
9 —	5.50	8.25	11.00	14.00	16.75	19.50	22.25	25.00	27.75	30.00	33.25	36.75	
10 —	5.00	7.50	10.00	12.50	15.00	17.50	20.00	22.50	25.00	27.00	30.00	33.00	
11 —	4.50	6.75	9.00	11.25	13.75	16.00	18.25	20.50	22.75	24.50	27.25	30.00	
12 —	4.25	6.25	8.25	10.50	12.50	14.50	16.75	18.75	20.75	22.50	25.00	27.50	
13 —	3.75	5.75	7.75	9.50	11.50	13.50	15.50	17.25	19.25	20.75	23.00	25.50	
14 —	3.50	5.25	7.00	9.00	10.75	12.50	14.25	16.00	17.75	19.25	21.50	23.50	
15 —	3.25	5.00	6.75	8.25	10.00	11.75	13.25	15.00	16.75	18.00	20.00	22.00	
16 —	3.25	4.75	6.25	7.75	9.25	11.00	12.50	14.00	15.75	16.75	18.75	20.50	
17 —	3.00	4.50	6.00	7.25	8.75	10.25	11.75	13.25	14.75	16.00	17.75	19.50	
18 —	2.75	4.25	5.50	7.00	8.25	9.75	11.00	12.50	14.00	15.00	16.75	18.25	
19 —	2.75	4.00	5.25	6.50	8.00	9.25	10.50	11.75	13.00	14.25	15.75	17.25	
20 —	2.50	3.75	5.00	6.25	7.50	8.75	10.00	11.25	12.50	13.50	15.00	16.50	
21 —	2.50	3.50	4.75	6.00	7.00	8.25	9.50	10.75	12.00	12.75	14.25	15.75	
22 —	2.25	3.50	4.50	5.75	6.75	8.00	9.00	10.25	11.25	12.25	13.75	15.00	
23 —	2.25	3.25	4.25	5.50	6.50	7.50	8.75	9.75	10.75	11.75	13.00	14.25	
24 —	2.00	3.25	4.25	5.25	6.25	7.25	8.25	9.50	10.50	11.25	12.50	13.75	
25 —	2.00	3.00	4.00	5.00	6.00	7.00	8.00	9.00	10.00	10.75	12.00	13.25	
26 —	2.00	3.00	3.75	4.75	5.75	6.75	7.75	8.75	9.50	10.50	11.50	12.75	
27 —	1.75	2.75	3.75	4.75	5.50	6.50	7.50	8.25	9.25	10.00	11.00	12.25	
28 —	1.75	2.75	3.50	4.50	5.25	6.25	7.00	8.00	9.00	9.75	10.75	11.75	
29 —	1.75	2.50	3.50	4.25	5.25	6.00	7.00	7.75	8.50	9.25	10.25	11.25	
30 or more	1.75	2.50	3.25	4.25	5.00	5.75	6.75	7.50	8.25	9.00	10.00	11.00	
Employer's Rate .5		.75	1.00	1.25	1.50	1.75	2.00	2.25	2.5	2.7	3.0	3.3	3.6
Employee's Rate .25		.25	.25	.25	.25	.25	.25	.25	.25	.25	.25	.25	.25

the twelve-month period beginning with the 1st day of April of said immediately succeeding calendar year the contribution rates for each employer and his employees shall be determined by the director from the table in subsection F of this section on the basis of each employer's benefit wage percentage for the said immediately succeeding calendar year and the state experience factor as determined for the said immediately succeeding calendar year as provided in subsection E of this section.

(4) If at the end of any calendar year after December 31, 1940, the benefits paid from the unemployment compensation fund within the three-year period including and ended with said calendar year and the contributions paid within such three-year period have been in such amounts that the fund becomes less than the minimum normal amount for the calendar year immediately succeeding such three-year period, the director shall on or before March 15 of said immediately succeeding calendar year so declare. To be effective for the twelve-month period beginning with the 1st day of April of said immediately succeeding calendar year, the contribution rates for each employer shall be determined by the director from the table in subsection F of this section on the basis of each employer's benefit wage percentage for the said immediately succeeding calendar year and an increased state experience factor to be computed by multiplying the state experience factor for the said immediately succeeding calendar year by two. In computing rates under this subsection all 13 columns in the table in subsection F of this section shall be used. If no percentage equal to or in excess of such benefit wage percentage appears on said horizontal line, the employer's contribution rate shall be three and six-tenths per cent (3.6%). His employees' tax rate for the same period of time shall be 0.5% (one-half of one percent).

(5) Any amount credited to this state's account under section 903 of the Social Security Act, as amended, which has been appropriated for expenses of administration, whether or not withdrawn from the trust fund, shall be excluded from the trust fund balance in determining whether or not such fund is greater or less than the minimum normal amount for a calendar year.

(6) The director shall notify each employer of such declaration and change in state experience factor and of his benefit wage percentage and his contribution rate within thirty days after each such 1st day of April; and of his employees' contribution rate not less than five days before each such 1st day of April.

H. Any employer may apply to the director for and shall be entitled to a review as to the determination of his benefit wage percentage, his contribution rate as fixed by his benefit wage percentage, and the amount of wages which, as to such employer, will be taxable at such reduced rate, provided such application is filed within 30 days of the date of the mailing by the director to the employer of the notice of such determination. Pending such review such employer shall withhold and transmit employee contributions and make all contribution payments otherwise required by this chapter at contribution rates fixed by the determination sought to be reviewed and resulting overpayments of underpayments of contributions by the employer shall, upon any redetermination, be adjusted or refunded pursuant to section 243 of this title. Any employer may within 30 days after the date of mailing by the director to such employer of notice of the ruling of the director upon such application for review appeal such ruling to the circuit court of any county wherein the employer is engaged in doing business, upon such terms and upon giving such security for costs as the court may upon application prescribe. Trial in that court shall

be de novo with respect to his benefit wage percentage. Any redetermination of benefit wage percentage, whether by the director or the court on appeal, shall not be effective as to an employee contribution rate before the calendar quarter first beginning after such redetermination.

I. For the purpose of this section, an employer's benefit wages and that part of his taxable payroll with respect to which contributions have been paid, shall be deemed benefit wages of a successor employer and that part of the payroll of such successor employer with respect to which contributions have been paid, shall be taken into account in determining the contribution rates of such successor employer and his employees provided in subsection F of this section, if such successor succeeds the employer in any of the manners set out in subsection D, section 185 of this chapter, and the predecessor ceases business operations; provided further that an employer subject to this chapter who becomes such in any of the manners set out in subsection E, section 185 of this chapter shall have that portion of his predecessor's benefit wages and that part of his predecessor's total taxable payroll with respect to which contributions have been paid which correspond to the segregable portion of the business assets and payroll thereof, acquired from his predecessor deemed to be his benefit wages and his payroll and such shall be taken into account in determining his and his employees' contribution rates as provided in subsection F of this section.

Nothing herein contained shall be construed to authorize or require the retroactive modification of contribution rates or the granting of refunds".

Section 2. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Edwards	Hawkins	Perry
Adams	Engel	Hearn	Pierce
Albea	Faulk	Ingram	Powell
Avery	Ferguson	Jenkins	Pruitt
Bailey	Gilchrist	Johnson (Hardaway)	Ramey
Bevill	Gilmer	Johnson (J. T. Tom)	Rast
Brannan	Glass	Johnston (Leonard)	Ray
Branyon	Goldthwaite	Jones (Covington)	Reynolds (Madison)
Brewer	Gordon	Locke	Rozelle
Brooks	Grant	McClendon (Chambers)	Self
Cabiness	Gross	McCorquodale	Sessions
Callahan	Grouby	Martin	Shumate
Camp	Guthrie	Meade	Smith (St. Clair)
Casey	Hanby	Merrill	Solomon
Chambers	Hankins	Morrow	Speaks
Copeland	Hardy	Murphy	Sullivan
Cornett	Harris	Nettles	Taylor
Daniel	Harvey	Oakley	Torbert
Dickson			

The question was then on the adoption of the amendment reported by the Standing Committee on Judiciary, said committee amendment being as follows:

Amend H. B. 357 as amended by adding the following to subsection G of section 204:

(7) Whenever at the end of any calendar year the Unemployment Compensation Trust Fund is in excess of the minimum normal amount by an amount that is one and one-quarter times the minimum normal amount, the employee's contribution rate will be discontinued the next April 1 and the employer will discontinue withholding any contribution from the employee's wage. Thereafter the employee's contribution rate will be completely eliminated.

On motion of Mr. Goodwyn the amendment reported by the Standing Committee on Judiciary was laid upon the table.

Yeas 58; Nays 20.

Yeas:

Mr. Speaker	Faulk	Hawkins	Nichols
Adams	Ferguson	Hearn	Oakley
Avery	Franklin	Ingram	Perry
Bailey	Gilchrist	Jenkins	Pierce
Barnett	Gilmer	Johnson (Hardaway)	Powell
Brannan	Glass	Jones (Covington)	Pruitt
Branyon	Goldthwaite	Locke	Ramey
Brooks	Goodwyn	Long (Perry)	Rast
Cates	Grant	McClendon (Chambers)	Rozelle
Chambers	Gross	McCorquodale	Sessions
Cornett	Guthrie	Martin	Solomon
Daniel	Hankins	Meade	Taylor
Dickson	Hardy	Morrow	Torbert
Dunn	Harris	Nettles	Turnham
Edwards	Harvey		

—58

Nays:

Messrs.	Cabiness	Gordon	Self
Albea	Callahan	Grouby	Shumate
Bevill	Camp	Johnson (J. T. Tom)	Smith (St. Clair)
Bishop	Copeland	Johnston (Leonard)	Speaks
Brewer	Engel	Merrill	Sullivan
Broadfoot			

—20

And said bill, H. 357, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 69; Nays 8.

Yeas:

Mr. Speaker	Bevill	Brooks	Cornett
Adams	Branyon	Casey	Daniel
Albea	Brewer	Cates	Dickson
Bailey	Britton	Chambers	Dunn

Edwards	Hankins	Merrill	Reynolds (Madison)
Engel	Hardy	Morrow	Rozelle
Faulk	Harvey	Murphy	Self
Ferguson	Hawkins	Nettles	Sessions
Franklin	Hearn	Nichols	Shumate
Gilchrist	Jenkins	Oakley	Smith (St. Clair)
Gilmer	Johnson (Hardaway)	Owens	Solomon
Glass	Jones (Covington)	Perry	Speaks
Goldthwaite	Lee	Pierce	Sullivan
Gordon	Locke	Powell	Taylor
Grant	McClendon (Chambers)	Pruitt	Thomas
Gross	Martin	Ramey	Torbert
Grouby	Meade	Rast	Turnham
Guthrie			

—69

Nays:

Messrs.	Copeland	Harris	Long (Lauderdale)
Barnett	Hanby	Johnston (Leonard)	Long (Perry)
Cabiness			

—8

And the bill:

H. 499. (with substitute): Relating to workmen's compensation; amending Section 312 of Title 26, Code of Alabama 1940 in relation to the employer's intervention as subrogee in a pending suit.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Judiciary, said committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to workmen's compensation; amending Section 312 of Title 26, Code of Alabama 1940 in relation to the employer's intervention as subrogee in a pending suit.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 312 of Title 26, Code of Alabama 1940, as amended, is further amended to read as follows:

"Section 312. Liability of party other than employer and procedure governing.—

"Where the injury or death for which compensation is payable under Article 2 of this Chapter was caused under circumstances also creating a legal liability for damages on the part of any party other than the employer whether or not such party be subject to the provisions of Article 2 of this Chapter the employee, or his dependents in case of his death, may proceed against the employer to recover compensation payable under Article 2 of this Chapter, and at the same time may bring an action against

such other party to recover damages for such injury or death, and the amount of such damages shall be ascertained and determined without regard to Article 2 of this Chapter. If the action against such other party is brought by the injured employee, or in case of his death, by his dependents, and judgment is obtained and paid, or settlement is made with such other party, either with or without suit, the employer shall be entitled to deduct from the compensation payable by him under this Chapter the amount actually received by such employee or his dependents from such other party. Provided, however, the employer shall be liable for that part of the attorneys fees, incurred in the settlement with the third party, either with or without suit, in the same proportion that the amount of the reduction in the employer's liability to pay compensation bears to the total recovery had from such third party. If the injured employee, or in case of his death, his dependents, shall agree to receive compensation from the employer or shall institute proceedings to recover the same, or accept from the employer any payment on account of such compensation, such employer or his insurance carrier shall be subrogated to all the rights of such employee, or dependents, and may maintain, or in case an action has already been instituted, may continue the action either in the name of the employee or dependents or in his own name, against such other party for the recovery of damages. In the event the injured employee, or in case of his death, his dependents, do not file suit against such other party to recover damages within the time allowed by law, the employer or the insurance carrier for the employer shall be allowed an additional period of six months within which to bring suit against such other party for damages on account of such injury or death, and in the event the damages recovered by the employer or the insurance carrier in any suit under this section are in excess of the compensation payable by the employer under Article 2 of this Chapter and costs, attorney fees and reasonable expenses incurred by the the employer in making such collection, the excess of such amount shall be held in trust for the injured employee, or in case of his death for his dependents. In the event such injured employee has no dependents, his personal representative in the event of his death may bring suit against such other party to recover damages without regard to Article 2 of this Chapter."

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming a law.

Mr. Goodwyn moved to lay on the table the substitute reported by the Standing Committee on Judiciary.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolution and House Bills hereinafter mentioned were delivered to the Executive Department on the date and hours named and that I hold the receipt of the Executive Department for same.

REGULAR SESSION

1909

Delivered to the Governor at 2:45 P.M. On August 1, 1961

H. 960	H. 538	H. 738	H. 753	H. 799	H. 985
H. 961	H. 539	H. 741	H. 777	H. 844	H. 986
H. 337	H. 540	H. 752	H. 780	H. 845	H. 987
H. 36	H. 541	H. 765	H. 817	H. 846	H. 992
H. 195	H. 542	H. 766	H. 818	H. 851	H. 993
H. 210	H. 543	H. 767	H. 819	H. 876	H. 994
H. 211	H. 544	H. 768	H. 833	H. 877	H. 995
H. 212	H. 545	H. 769	H. 834	H. 878	H. 996
H. 214	H. 546	H. 807	H. 875	H. 991	H. 1002
H. 216	H. 547	H. 808	H. 881	H. 202	H. 1003
H. 217	H. 548	H. 809	H. 898	H. 239	H. 1004
H. 218	H. 550	H. 810	H. 932	H. 650	H. 1005
H. 219	H. 551	H. 811	H. 939	H. 784	
H. 262	H. 552	H. 812	H. 956	H. 785	
H. 380	H. 553	H. 813	H. 220	H. 901	
H. 514	H. 554	H. 828	H. 221	H. 908	
H. 516	H. 556	H. 835	H. 638	H. 914	
H. 518	H. 557	H. 836	H. 639	H. 915	
H. 519	H. 559	H. 837	H. 640	H. 916	
H. 520	H. 560	H. 838	H. 641	H. 917	
H. 521	H. 561	H. 839	H. 642	H. 920	
H. 522	H. 562	H. 863	H. 643	H. 921	
H. 523	H. 567	H. 864	H. 644	H. 924	
H. 524	H. 571	H. 865	H. 743	H. 925	
H. 525	H. 572	H. 866	H. 757	H. 927	
H. 526	H. 625	H. 867	H. 774	H. 928	
H. 527	H. 626	H. 868	H. 879	H. 933	
H. 528	H. 256	H. 870	H. 885	H. 934	
H. 569	H. 627	H. 871	H. 156	H. 935	
H. 592	H. 628	H. 872	H. 608	H. 936	
H. 593	H. 629	H. 873	H. 609	H. 937	
H. 594	H. 630	H. 874	H. 612	H. 938	
H. 602	H. 631	H. 349	H. 697	H. 945	
H. 529	H. 632	H. 449	H. 786	H. 947	

H. 530	H. 633	H. 450	H. 787	H. 950
H. 531	H. 645	H. 451	H. 788	H. 951
H. 532	H. 646	H. 452	H. 791	H. 952
H. 533	H. 647	H. 454	H. 792	H. 962
H. 534	H. 648	H. 455	H. 793	H. 966
H. 535	H. 649	H. 456	H. 794	H. 967
H. 536	H. 663	H. 457	H. 795	H. 981
H. 537	H. 675	H. 651	H. 798	H. 984

Delivered to the Secretary of State at 3:06 P. M. On August 1, 1961.

H. 114	H. 659	H. 942
H. 754	H. 940	H. 944
H. 805	H. 941	H. 954

Delivered to the Governor at 4:45 P.M. On August 1, 1961.

H. 102	H. 106	H. 685	H. 779
H. 103	H. 107	H.J.R. 74	H. 869

Delivered to the Secretary of State at 4:49 P.M. On August 1, 1961.

H. 880

OAKLEY MELTON, JR.,
Clerk.

ADJOURNMENT

On motion of Mr. Camp the House adjourned until Friday, August 4, 1961, at ten o'clock A.M.

Yeas 46; Nays 44.

Yeas:

Messrs.	Copeland	Harris	Owens
Avery	Daniel	Harvey	Perry
Bishop	Dickson	Hearn	Powell
Brannan	Dunn	Johnston (Leonard)	Ramey
Brewer	Edwards	Long (Lauderdale)	Rast
Britton	Gilchrist	McCorquodale	Self
Broadfoot	Glass	Martin	Sessions
Cabiness	Goldthwaite	Meade	Solomon
Callahan	Gordon	Morrow	Sullivan
Camp	Gross	Murphy	Taylor
Casey	Guthrie	Nichols	Turnham
Chambers	Hankins	Oden	

REGULAR SESSION

1911

Nays:

Mr. Speaker	Ferguson	Johnson (Hardaway)	Pruitt
Adams	Franklin	Johnson (J. T. Tom)	Reynolds (Madison)
Albea	Gilmer	Jones (Covington)	Roberts
Bailey	Goodwyn	Lee	Rozelle
Barnett	Grant	Locke	Salter
Bevill	Grouby	Long (Perry)	Shumate
Branyon	Hanby	McClendon (Chambers)	Smith (St. Clair)
Cates	Hardy	Merrill	Speaks
Cornett	Hawkins	Nettles	Thomas
Engel	Ingram	Oakley	Torbert
Faulk	Jenkins	Pierce	Turner

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TWENTY-FIFTH DAY

House of Representatives
Montgomery, Alabama
Wednesday, August 2, 1961

The House did not meet today.

TWENTY-SIXTH DAY

House of Representatives
Montgomery, Alabama
Thursday, August 3, 1961

The House did not meet today.

TWENTY-SEVENTH DAY

House of Representatives
Montgomery, Alabama
Friday, August 4, 1961

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend J. A. Hill, Pastor, First Baptist Church, Wetumpka, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Dodd	Johnson (Hardaway)	Pruitt
Adams	Dunn	Johnson (J. T. Tom)	Ramey
Albea	Edwards	Johnston (Leonard)	Rast
Avery	Engel	Jones (Covington)	Ray
Bailey	Faulk	Jones (Monroe)	Reynolds (Chambers)
Barnett	Ferguson	Lee	Reynolds (Madison)
Bassett	Franklin	Locke	Roberts
Bevill	Gilchrist	Long (Lauderdale)	Rogers
Bishop	Gilmer	Long (Perry)	Rozelle
Boyd	Glass	McClendon (Chambers)	Salter
Brannan	Goldthwaite	McCorquodale	Self
Branyon	Goodwyn	McLendon (Bullock)	Sessions
Brewer	Gordon	Martin	Shumate
Britton	Grant	Meade	Smith (Russell)
Broadfoot	Gross	Merrill	Smith (St. Clair)
Brooks	Gronby	Morrow	Solomon
Cabiness	Guthrie	Murphy	Speaks
Callahan	Hain	Nettles	Steagall
Camp	Hanby	Nichols	Sullivan
Casey	Hankins	Oakley	Taylor
Cates	Hardy	Oden	Thomas
Chambers	Harris	Owens	Torbert
Cook	Harvey	Perry	Trimmier
Copeland	Hawkins	Phillips	Turner
Cornett	Hearn	Pierce	Turnham
Daniel	Ingram	Powell	Vickers
Dickson	Jenkins		

A quorum was present.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 144. To repeal Act No. 624, S. 615, approved September 4, 1951, an act based on population and applying to Jackson County only according to the 1950 federal decennial census, which relates to the compensation and duties of the county superintendent of education.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 77. Relative to naming H. B. 98 "The Branyon, Barnett, Rutledge and Turner Bill."

H. J. R. 78. Relative to naming road side park on U. S. 43 "Engelhardt State Park."

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 79. Extending sympathy to the family of Honorable Louie Glidewell on his death.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill:

H. 36. To alter, rearrange, and extend the boundary lines and corporate limits of the Town of Autaugaville, in Autauga County, Alabama.

by a vote of a majority of the whole number elected to the Senate; Said vote being: Yeas 24; Nays 0.

And said Bill, H. B. 36, as amended by the Executive Amendment, was again read at length and passed by a vote of a majority of the whole number elected to the Senate; Said vote being: Yeas 24; Nays 0.

And said Bill, H. B. 36, together with the Executive Amendment, is herewith returned to the House.

J. E. SPEIGHT,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 75. Relative to congratulating Dr. Minnie C. Miles on being elected first vice president of the National Federation of Business and Professional Women's Clubs.

Also:

H. J. R. 79. Relative to the death of the Honorable Louie Glidewell of St. Clair County.

Also:

H. J. R. 77. Relative to naming House Bill 98.

Also:

H. J. R. 78. Relative to naming "Engelhardt State Park."

And finds same correctly enrolled.

VIRGIS M. ASHWORTH,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions the titles to which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Wyatt:

S. J. R. 35. WHEREAS the members of the Legislature have heard with profound regret of the untimely death on July 31 of the Honorable Louie Glidewell, Coroner of St. Clair County; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we deeply mourn the passing of the Honorable Louie Glidewell and extend heartfelt sympathy to his family.

RESOLVED FURTHER, That the Secretary of the Senate is hereby directed to transmit a copy of this resolution to Mr. Glidewell's family.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The S. J. R. 35 set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 770. To alter, rearrange and extend the boundaries and corporate limits of the Town of Daleville, Dale County, Alabama, so as to annex certain territory to the town.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Steagall the House concurred in and adopted the Senate substitute for the bill, H. 770, said Senate substitute being as follows:

Substitute for H. B. 770:

A BILL TO BE ENTITLED AN ACT

To alter, rearrange and extend the boundaries and corporate limits of the Town of Daleville, Dale County, Alabama, so as to annex certain territory to the town.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries and corporate limits of the Town of Daleville, Dale County, Alabama, are hereby altered, rearranged and extended so as to include within the corporate limits of the town the following described territory in addition to the area now embraced within the boundaries and corporate limits, to-wit:

Beginning at the point where the West line of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 15, T4N, R23E intersects the south right-of-way line of the Atlantic Coast Line Railroad and running thence south along the West line of said SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 15 to the North line of Section 22; T4N, R23E thence running south along the west line of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of section 22 to the SW corner thereof; thence running West along the South line of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 22 to the SW

corner thereof; thence continuing West along the South line of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 21 T4N,R23E to the East side of CLAYBANK CREEK; thence running southerly along the East side of said Claybank Creek to the North line of the S $\frac{1}{2}$ of the S $\frac{1}{2}$ of Section 27, T4N,R23E; thence running East along the North line of the S $\frac{1}{2}$ of the S $\frac{1}{2}$ of Section 27, T4N,R23E to the West line of Cairns Airfield Property; thence running N00-53'E along the West line of said Cairns Airfield Property to the Northwest corner thereof; thence running Easterly along the North line of said Cairns Airfield Property to the East line of the W $\frac{1}{2}$ of Section 26, T4N,R23E; thence running North along the said East line of the W $\frac{1}{2}$ of Section 26 to the NE corner thereof; thence running East along the North line of Section 26 to the SE corner of the SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 23, T4N,R23E; thence running North along the East line of the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 23, T4N,R23E to the NE corner thereof; thence running East along the north side of E $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 23 to the NE corner thereof; thence running North along the East line of said Section 23 to the South side of Ala. State Hwy No. 134; thence running Easterly along the south side of said Ala. State Hwy No. 134 to its intersection with the north line of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 24; T4N,R23E thence running East along the North line of said SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ to the NE corner thereof; thence running south along the East line of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 24 to the SE corner thereof; thence running East along the North line of the SE $\frac{1}{4}$ of Section 24 to the NE corner thereof; thence continuing East along the South side of the W $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 19, T4N,R24E to the SE corner thereof; thence running North along the East line of said W $\frac{1}{2}$ of the NW $\frac{1}{4}$ to the NE corner thereof; thence continuing north along the East side of the SW $\frac{1}{4}$ -SW $\frac{1}{4}$ of Section 18, T4N,R24E to the south right-of-way of the Atlantic Coast Line Railroad; thence running westerly along the South right-of-way line of the Atlantic Coast Line Railroad to the point of beginning and being in Dale County, Alabama less and except the following parcels contained therein; S $\frac{1}{2}$ of SW $\frac{1}{4}$ of Section 14, SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 15, and E $\frac{1}{2}$ of W $\frac{1}{2}$ of NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 15, NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 22, SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 22, SE $\frac{1}{4}$ of the SW $\frac{1}{2}$ of Sec. 22, NW $\frac{1}{4}$ of Section 23 lying West of Ala. State Hwy No. 85 except that part lying adjacent to said Hwy No. 85 that has been subdivided; N $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Section 27, the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 27, the SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 27, and that part of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 24 lying North of Ala. State Hwy 134; the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 13, T4N,R23E, Dale County, Alabama.

Section 2. All farm and pasture land annexed by this Act shall be exempt from all ad valorem taxation by the municipality of Daleville, during the time such property is used for farming or grazing purposes.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Boyd	Cates	Engel
Adams	Brannan	Chambers	Faulk
Albea	Branyon	Cook	Ferguson
Avery	Britton	Copeland	Franklin
Bailey	Broadfoot	Cornett	Gilchrist
Barnett	Brooks	Daniel	Gilmer
Bassett	Cabiness	Dickson	Glass
Bishop	Casey	Dodd	Goldthwaite

Gordon	Jenkins	Nichols	Smith (Russell)
Grant	Johnston (Leonard)	Oakley	Smith (St. Clair)
Grouby	Jones (Covington)	Phillips	Solomon
Guthrie	Locke	Pierce	Speaks
Hain	Long (Perry)	Powell	Steagall
Hanby	McClendon (Chambers)	Ramey	Sullivan
Hankins	McLendon (Bullock)	Rast	Taylor
Hardy	Martin	Ray	Thomas
Harris	Meade	Rogers	Torbert
Harvey	Merrill	Rozelle	Trimmier
Hawkins	Morrow	Self	Turner
Hearn	Murphy	Sessions	Turnham
Ingram	Nettles	Shumate	Vickers

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RESOLUTION

The following resolution was introduced:

By Mr. Cabiness:

H. J. R. 80. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING:

1. The portion of Alabama Highway No. 65 in Jackson County, beginning at the Tennessee line and extending through Paint Rock Valley to the point where such highway intersects with U. S. Highway 72 at the town of Paint Rock is hereby designated and shall be known as "The John S. O'Neal Highway" in honor of John Silor O'Neal who served his country with honor and distinction as a member of the House of Representatives.

2. The State Highway Department is authorized and directed to cause to be erected and maintained at all times along the highway route herein described, appropriate signs or markers indicating that such highway is "The John S. O'Neal Highway."

On motion of Mr. Cabiness the rules were suspended and H. J. R. 80 was adopted.

BILLS ON THIRD READING

UNFINISHED BUSINESS

On motion of Mr. Pruitt, consideration of the bill, H. 499, was temporarily postponed.

SPECIAL ORDER

The House proceeded to the consideration of the special order.

And the bill:

H. 849. Proposing an amendment to the Constitution of Alabama relative to the distribution of certain state funds among the several counties.

As amended, was again taken up.

The motion of Mr. Roberts to indefinitely postpone the motion of Mr. Boyd to postpone further consideration of the bill, H. 849, as amended, until the thirty-fourth legislative day was lost.

Yeas 47; Nays 49.

Yeas:

Mr. Speaker	Copeland	Hanby	Perry
Albea	Dodd	Hankins	Rast
Bevill	Engel	Harris	Ray
Bishop	Faulk	Hearn	Roberts
Branyon	Ferguson	Jones (Covington)	Self
Brewer	Franklin	Locke	Shumate
Broadfoot	Gilchrist	Long (Landerdale)	Smith (St. Clair)
Cabiness	Goodwyn	Merrill	Speaks
Camp	Gordon	Morrow	Steagall
Cates	Gross	Murphy	Trimmier
Chambers	Grouby	Nichols	Turner
Cook	Guthrie	Oden	

—47

Nays:

Messrs.	Edwards	Lee	Ramey
Avery	Gilmer	Long (Perry)	Rogers
Bailey	Glass	McClendon (Chambers)	Salter
Barnett	Goldthwaite	McCorquodale	Sessions
Bassett	Grant	McLendon (Bullock)	Smith (Russell)
Boyd	Hain	Martin	Solomon
Britton	Hardy	Nettles	Sullivan
Brooks	Harvey	Oakley	Taylor
Casey	Hawkins	Phillips	Thomas
Cornett	Jenkins	Pierce	Torbert
Daniel	Johnson (Hardaway)	Powell	Turnham
Dickson	Johnston (Leonard)	Pruitt	Vickers
Dunn	Jones (Monroe)		

—49

And the motion of Mr. Boyd to postpone further consideration of the bill, H. 849, as amended, until the thirty-fourth legislative day was adopted.

Yeas 52; Nays 49.

Yeas:

Messrs.	Dunn	Lee	Ramey
Avery	Edwards	Long (Perry)	Reynolds (Chambers)
Bailey	Gilmer	McClendon (Chambers)	Rogers
Barnett	Glass	McCorquodale	Salter
Bassett	Goldthwaite	McLendon (Bullock)	Sessions
Boyd	Grant	Martin	Smith (Russell)
Britton	Hain	Nettles	Solomon
Brooks	Hardy	Oakley	Sullivan
Callahan	Harvey	Owens	Taylor
Casey	Jenkins	Phillips	Thomas
Chambers	Johnson (Hardaway)	Pierce	Torbert
Cornett	Johnston (Leonard)	Powell	Turnham
Daniel	Jones (Monroe)	Pruitt	Vickers
Dickson			

—52

Nays:

Mr. Speaker	Engel	Harris	Rast
Albea	Faulk	Hawkins	Ray
Bevill	Ferguson	Hearn	Reynolds (Madison)
Bishop	Franklin	Jones (Covington)	Roberts
Branyon	Gilchrist	Locke	Rozelle
Brewer	Goodwyn	Long (Lauderdale)	Self
Broadfoot	Gordon	Merrill	Shumate
Cabiness	Gross	Morrow	Smith (St. Clair)
Camp	Grouby	Murphy	Speaks
Cates	Guthrie	Nichols	Steagall
Cook	Hanby	Oden	Trimmier
Copeland	Hankins	Perry	Turner
Dodd			

—49

H. 69, AS AMENDED, POSTPONED

On motion of Mr. Hain, further consideration of the bill, H. 69, as amended, was postponed until the next legislative day.

UNFINISHED BUSINESS

The House proceeded to the consideration of the Unfinished Business:

And the bill:

H. 499. (with substitute). Relating to workmen's compensation; amending Section 312 of Title 26, Code of Alabama 1940 in relation to the employer's intervention as subrogee in a pending suit.

Was again taken up.

The question was on the motion of Mr. Goodwyn to lay on the table the substitute reported by the Standing Committee on Judiciary, said substitute being set out in the Journal of the House on the twenty-fourth legislative day, and the motion of Mr. Goodwyn was lost.

Yeas 15; Nays 66.

Yeas:

Messrs.	Broadfoot	Copeland	Jones (Covington)
Barnett	Cabiness	Guthrie	Long (Perry)
Bevill	Callahan	Hanby	Meade
Bishop	Camp	Johnston (Leonard)	Speaks

—15

Nays:

Mr. Speaker	Brewer	Dodd	Gordon
Adams	Britton	Dunn	Grant
Albea	Casey	Engel	Gross
Bailey	Cates	Faulk	Grouby
Bassett	Cook	Ferguson	Hain
Boyd	Cornett	Franklin	Hankins
Brannan	Daniel	Gilchrist	Hardy
Branyon	Dickson	Gilmer	Harvey

Hawkins	Martin	Pruitt	Smith (St. Clair)
Hearn	Merrill	Ramey	Solomon
Jenkins	Murphy	Ray	Steagall
Johnson (Hardaway)	Nettles	Reynolds (Chambers)	Taylor
Jones (Monroe)	Nichols	Rogers	Torbert
Lee	Oakley	Rozelle	Trimmier
McClendon (Chambers)	Phillips	Self	Turnham
McCorquodale	Pierce	Smith (Russell)	Vickers
McLendon (Bullock)	Powell		

—66

And the substitute reported by the Standing Committee on Judiciary was adopted.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Daniel	Jenkins	Pruitt
Adams	Dickson	Johnson (Hardaway)	Ramey
Albea	Dodd	Johnston (Leonard)	Rast
Bailey	Dunn	Jones (Covington)	Ray
Barnett	Engel	Jones (Monroe)	Reynolds (Chambers)
Bassett	Faulk	Lee	Rogers
Bevill	Ferguson	Long (Perry)	Rozelle
Boyd	Franklin	McClendon (Chambers)	Self
Brannan	Gilmer	McCorquodale	Shumate
Branyon	Goodwyn	McLendon (Bullock)	Smith (Russell)
Brewer	Gordon	Martin	Smith (St. Clair)
Britton	Grant	Meade	Solomon
Cabiness	Gross	Merrill	Speaks
Callahan	Grouby	Morrow	Steagall
Camp	Guthrie	Murphy	Sullivan
Casey	Hain	Nettles	Taylor
Cates	Hanby	Nichols	Torbert
Chambers	Hardy	Oakley	Trimmier
Cook	Harvey	Phillips	Turnham
Copeland	Hawkins	Pierce	Vickers
Cornett	Hearn	Powell	

—83

Mr. Bevill offered the following substitute for the bill, H. 499, as amended:

A BILL TO BE ENTITLED AN ACT

Relating to workmen's compensation; amending Section 312 of Title 26, Code of Alabama 1940 in relation to the employer's intervention as subrogee in a pending suit.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 312 of Title 26, Code of Alabama 1940, as amended, is further amended to read as follows:

"Section 312. Liability of party other than employer and procedure governing.—

"Where the injury or death for which compensation is payable under Article 2 of this Chapter was caused under circumstances also creating a legal liability for damages on the part of any party other than the employer whether or not such party be subject to the provisions of Article 2 of this Chapter the employee, or his dependents in case of his death, may proceed against the employer to recover compensation payable under Article 2 of this Chapter, and at the same time may bring an action against such other party to recover damages for such injury or death, and the amount of such damages shall be ascertained and determined without regard to Article 2 of this Chapter. If the action against such other party is brought by the injured employee, or in case of his death, by his dependents, and judgment is obtained and paid, or settlement is made with such other party, either with or without suit, the employer shall be entitled to deduct from the compensation payable by him under this Chapter the amount actually received by such employee or his dependents from such other party. Provided, however, the employer shall be liable for that part of the attorneys fees, incurred in the settlement with the third party, either with or without suit, in the same proportion that the amount of the reduction in the employer's liability to pay compensation bears to the total recovery had from such third party. If the injured employee, or in case of his death, his dependents, shall agree to receive compensation from the employer or shall institute proceedings to recover the same, or accept from the employer any payment on account of such compensation, such employer or his insurance carrier shall be subrogated to all the rights of such employee, or dependents, and may maintain, or in case an action has already been instituted, may continue the action either in the name of the employee or dependents, or in his own name, against such other party for the recovery of damages; provided, however, if a suit is pending, the subrogee must intervene in such suit before the suit is brought to judgment, and failure of such subrogee to so intervene shall result in forfeiture of all the rights of such subrogee under this section. In the event the injured employee, or in case of his death, his dependents, do not file suit against such other party to recover damages within the time allowed by law, the employer or the insurance carrier for the employer shall be allowed an additional period of six months within which to bring suit against such other party for damages on account of such injury or death, and in the event the damages recovered by the employer or the insurance carrier in any suit under this section are in excess of the compensation payable by the employer under Article 2 of this Chapter and costs, attorney fees and reasonable expenses incurred by the employer in making such collection, the excess of such amount shall be held in trust for the injured employee, or in case of his death for his dependents. In the event such injured employee has no dependents, his personal representative in the event of his death may bring suit against such other party to recover damages without regard to Article 2 of this Chapter."

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming a law.

On motion of Mr. Goodwyn the substitute offered by Mr. Beville was laid upon the table.

Yeas 57; Nays 23.

Yeas:

Mr. Speaker	Ferguson	Locke	Ramey
Adams	Gilchrist	Long (Perry)	Rast
Albea	Gilmer	McClendon (Chambers)	Reynolds (Chambers)
Bailey	Goodwyn	McLendon (Bullock)	Rogers
Barnett	Grant	Martin	Rozelle
Bassett	Hain	Merrill	Sessions
Boyd	Hankins	Murphy	Smith (St. Clair)
Brannan	Hardy	Nettles	Solomon
Branyon	Harvey	Nichols	Speaks
Britton	Hawkins	Oakley	Thomas
Casey	Hearn	Perry	Torbert
Cornett	Jenkins	Phillips	Trimmier
Daniel	Johnson (Hardaway)	Pierce	Turnham
Engel	Lee	Powell	Vickers
Faulk			

—57

Nays:

Messrs.	Callahan	Grouby	Long (Lauderdale)
Bevill	Camp	Guthrie	Oden
Bishop	Copeland	Hanby	Ray
Brewer	Dunn	Johnson (J. T. Tom)	Reynolds (Madison)
Broadfoot	Gordon	Johnston (Leonard)	Self
Cabiness	Gross	Jones (Covington)	Shumate

—23

And said bill, H. 499, as amended, was then read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 3.

Yeas:

Mr. Speaker	Daniel	Hearn	Pierce
Adams	Dodd	Jenkins	Powell
Albea	Dunn	Johnson (Hardaway)	Pruitt
Avery	Engel	Johnson (J. T. Tom)	Ramey
Bailey	Faulk	Johnston (Leonard)	Rast
Bassett	Ferguson	Jones (Covington)	Ray
Bevill	Gilchrist	Lee	Reynolds (Chambers)
Bishop	Gilmer	Locke	Reynolds (Madison)
Boyd	Glass	Long (Lauderdale)	Rogers
Brannan	Goodwyn	McClendon (Chambers)	Rozelle
Branyon	Gordon	McCorquodale	Self
Brewer	Grant	McLendon (Bullock)	Sessions
Britton	Gross	Martin	Smith (Russell)
Broadfoot	Grouby	Merrill	Smith (St. Clair)
Cabiness	Guthrie	Murphy	Solomon
Callahan	Hain	Nettles	Thomas
Camp	Hanby	Nichols	Torbert
Casey	Hankins	Oakley	Trimmier
Cates	Hardy	Oden	Turnham
Copeland	Harvey	Perry	Vickers
Cornett	Hawkins	Phillips	

—83

Nays:

Messrs.	Barnett	Long (Perry)	Shumate
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—3

SPECIAL ORDER

The House again proceeded to the consideration of the special order.

BILLS POSTPONED

On motion of Mr. Pruitt, further consideration of the bills, H. 310 and H. 311, was postponed until the twenty-ninth legislative day.

And the bill:

H. 362. (with substitute). To amend Section 191, Title 26, Code of Alabama, 1940, as amended, the same relating to the definition of wages for unemployment compensation.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Judiciary, said committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 191, Title 26, Code of Alabama, 1940, as amended, the same relating to the definition of wages for unemployment compensation.

Be It Enacted by the Legislature of Alabama:

SECTION 1. That Section 191, Title 26, Code of Alabama, 1940, as amended, be, and the same is hereby amended to read as follows:

"§191. WAGES.—Prior to January 1, 1951, "wages" as used in this chapter shall mean such remuneration as is defined in this section as amended July 26, 1949.

On and after January 1, 1951, "wages" as used in this chapter shall mean every form of remuneration paid or received for personal services, including the cash value of any remuneration paid in any medium other than cash. The reasonable cash value of remuneration paid in any medium other than cash shall be determined in accordance with rules prescribed by the director; provided, however, the term "wages" shall not include:

A. That part of remuneration, which after remuneration equal to three thousand dollars has been paid in a calendar year to an individual by an employer or his predecessor or by a combination of both the employer and his predecessor, with respect to employment during any calendar year, is paid to such individual by such employer during such calendar year except with respect to Section 204 B (1), (2) and (4), 204 C, 206, 207, 208 and 209 of this Title. For the purpose of this subsection, the term employment shall include service constituting employment under any unemployment compensation law of another state or of this State;

B. The amount of any payment (including any amount paid by an

employer for insurance or annuities, or into a fund, to provide for any such payment) made to, or on behalf of, an employee or any of his dependents under a plan or system established by an employer which makes provision for his employees generally (or for his employees generally and their dependents) or for a class or classes of his employees (or for a class or classes of his employees and their dependents), on account of (a) retirement, or (b) sickness or accident disability, or (c) medical or hospitalization expenses in connection with sickness or accident disability, or (d) death;

C. Any payment made to an employee (including any amount paid by an employer for insurance or annuities, or into a fund, to provide for any such payment) on account of retirement;

D. Any payment made to, or on behalf of any employee or his beneficiary (A) From or to a trust exempt from tax under Section 165 (a) of the Federal Internal Revenue Code at the time of such payment unless such payment is made to an employee of the trust as remuneration for services rendered as such employee and not as a beneficiary of the trust, or (b) under or to an annuity plan which, at the time of such payment, meets the requirements of Section 165 (a) (3), (4), (5) and (6) of the Federal Internal Revenue Code;

E. The payment by an employer (without deduction from the remuneration of the employee) of the tax imposed upon an employee under Article 3 of this chapter, or of the tax imposed upon an employee by section 1400 of the Federal Internal Revenue Code, as amended;

F. Remuneration paid in any medium other than cash to an employee for services not in the course of the employer's trade or business;

G. Any payment (other than vacation or sick pay) made to an employee after the month in which he attains the age of sixty-five, if he did not work for the employer in the period for which such payment is made;

H. Dismissal payments which the employer is not legally required to make.

SECTION 2. This Act shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming law.

And the substitute was adopted.

Yeas 80; Nays 1.

Yeas:

Mr. Speaker	Cabiness	Engel	Grouby
Adams	Callahan	Faulk	Hain
Albea	Camp	Ferguson	Hanby
Bailey	Cates	Gilchrist	Hankins
Barnett	Cook	Gilmer	Hardy
Bassett	Copeland	Glass	Hawkins
Bevill	Cornett	Goldthwaite	Hearn
Boyd	Daniel	Goodwyn	Jenkins
Brannan	Dodd	Gordon	Johnson (Hardaway)
Brewer	Dunn	Grant	Johnson (J. T. Tom)
Britton	Edwards	Gross	Johnston (Leonard)

Jones (Covington)	Morrow	Ramey	Speaks
Jones (Monroe)	Murphy	Rast	Sullivan
Lee	Nettles	Reynolds (Chambers)	Taylor
Locke	Oakley	Reynolds (Madison)	Thomas
McClendon (Chambers)	Oden	Rogers	Torbert
McCorquodale	Perry	Rozelle	Trimmier
McLendon (Bullock)	Phillips	Self	Turner
Martin	Pierce	Sessions	Turnham
Merrill	Powell	Smith (St. Clair)	Vickers

—80

Nay:

Mr. Shumate

—1

And said bill, H. 362, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 4.

Yeas:

Mr. Speaker	Faulk	Johnston (Leonard)	Ramey
Adams	Ferguson	Jones (Covington)	Rast
Albea	Gilchrist	Jones (Monroe)	Reynolds (Chambers)
Bailey	Gilmer	Lee	Reynolds (Madison)
Bassett	Glass	Locke	Rogers
Bevill	Goldthwaite	McClendon (Chambers)	Rozelle
Boyd	Goodwyn	McCorquodale	Self
Brannan	Gordon	McLendon (Bullock)	Sessions
Brewer	Grant	Martin	Smith (St. Clair)
Britton	Gross	Merrill	Solomon
Cabiness	Grouby	Morrow	Speaks
Callahan	Hain	Murphy	Sullivan
Cates	Hanby	Nettles	Taylor
Cook	Hankins	Oakley	Thomas
Cornett	Hardy	Oden	Torbert
Daniel	Hawkins	Perry	Trimmier
Dodd	Hearn	Phillips	Turner
Dunn	Jenkins	Pierce	Turnham
Edwards	Johnson (Hardaway)	Powell	Vickers
Engel	Johnson (J. T. Tom)	Pruitt	

—79

Nays:

Messrs. Copeland	Harris	Long (Lauderdale)	Shumate
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—4

And the bill:

H. 181. (with amendment). To amend Section 289 of Title 26, Code of Alabama 1940, as last amended, the same relating to limitations on compensation under the Workmen's Compensation Law.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Judiciary, said committee amendment being as follows:

Amend H. B. 181 in the following manner:

1) Strike the words "thirty-three dollars" where the same appears therein, and substitute the words "thirty-five dollars."

2) Strike the figure "\$13,200" where the same appears therein, and substitute the figure "\$14,000."

And the amendment was adopted.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Dickson	Johnson (Hardaway)	Pruitt
Adams	Dodd	Johnson (J. T. Tom)	Ramey
Albea	Dunn	Johnston (Leonard)	Rast
Bailey	Edwards	Jones (Covington)	Reynolds (Chambers)
Barnett	Engel	Jones (Monroe)	Reynolds (Madison)
Bassett	Faulk	Lee	Roberts
Bevill	Ferguson	Long (Lauderdale)	Rogers
Bishop	Gilchrist	Long (Perry)	Rozelle
Boyd	Gilmer	McClendon (Chambers)	Self
Brannan	Glass	McCorquodale	Sessions
Branyon	Goodwyn	McLendon (Ballock)	Shumate
Brewer	Gordon	Martin	Smith (Russell)
Britton	Grant	Merrill	Smith (St. Clair)
Broadfoot	Gross	Morrow	Solomon
Brooks	Grouby	Nettles	Speaks
Cabiness	Hain	Nichols	Sullivan
Callahan	Hanby	Oakley	Thomas
Camp	Hankins	Oden	Torbert
Cates	Hardy	Perry	Trimmier
Cook	Hawkins	Phillips	Turner
Copeland	Hearn	Pierce	Vickers
Daniel	Jenkins	Powell	

—87

And said bill, H. 181, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Cabiness	Ferguson	Hawkins
Adams	Callahan	Gilchrist	Hearn
Albea	Camp	Gilmer	Ingram
Bailey	Cates	Glass	Jenkins
Bassett	Chambers	Goldthwaite	Johnson (Hardaway)
Bevill	Cook	Goodwyn	Johnson (J. T. Tom)
Bishop	Copeland	Gordon	Johnston (Leonard)
Boyd	Cornett	Grant	Jones (Covington)
Brannan	Daniel	Gross	Jones (Monroe)
Branyon	Dickson	Grouby	Lee
Brewer	Dodd	Hain	Locke
Britton	Dunn	Hanby	Long (Lauderdale)
Broadfoot	Engel	Hankins	McClendon (Chambers)
Brooks	Faulk	Hardy	McCorquodale

McLendon (Bullock)	Phillips	Rogers	Solomon
Martin	Pierce	Rozelle	Speaks
Merrill	Powell	Salter	Sullivan
Murphy	Pruitt	Self	Thomas
Nettles	Ramey	Sessions	Torbert
Nichols	Rast	Shumate	Trimmier
Oakley	Reynolds (Chambers)	Smith (Russell)	Turner
Oden	Reynolds (Madison)	Smith (St. Clair)	Vickers
Perry	Roberts		

—90

And the bill:

H. 501. (with amendment). Relating to unemployment compensation; amending Section 209 of Title 26, Code of Alabama 1940 in relation to the number of weeks to which an employee shall be entitled to benefits.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Judiciary, said committee amendment being as follows:

Amend H. B. 501 as follows:

In section 1 strike the word "twenty-eight" and insert therein the word "twenty-six."

H. B. 501 is further amended by striking the last paragraph of section 1 that reads as follows:

"The provisions of this section shall apply only to benefit years established after the effective date of this Act."

And the amendment was adopted.

Yeas 83; Nays 4.

Yeas:

Mr. Speaker	Dunn	Johnson (J. T. Tom)	Ray
Adams	Edwards	Johnston (Leonard)	Reynolds (Chambers)
Albea	Engel	Jones (Covington)	Reynolds (Madison)
Bailey	Faulk	Jones (Monroe)	Rogers
Bassett	Ferguson	Lee	Rozelle
Bevill	Gilchrist	McClendon (Chambers)	Salter
Bishop	Gilmer	McCorquodale	Self
Boyd	Glass	McLendon (Bullock)	Sessions
Brannan	Goodwyn	Martin	Shumate
Branyon	Gordon	Merrill	Smith (Russell)
Brewer	Grant	Morrow	Smith (St. Clair)
Britton	Gross	Murphy	Solomon
Cabiness	Hain	Nettles	Speaks
Callahan	Hanby	Nichols	Sullivan
Camp	Hankins	Oakley	Thomas
Cates	Hardy	Perry	Torbert
Chambers	Hawkins	Phillips	Trimmier
Cornett	Hearn	Pierce	Turner
Daniel	Ingram	Powell	Turnham
Dickson	Jenkins	Ramey	Vickers
Dodd	Johnson (Hardaway)	Rast	

—83

Nays:

Messrs.	Barnett	Copeland	Goldthwaite
Avery			

—4

And said bill, H. 501, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 3.

Yeas:

Mr. Speaker	Dunn	Johnson (J. T. Tom)	Pruitt
Adams	Edwards	Johnston (Leonard)	Ramey
Albea	Engel	Jones (Covington)	Rast
Bailey	Faulk	Jones (Monroe)	Ray
Bassett	Ferguson	Lee	Reynolds (Chambers)
Bevill	Gilchrist	Locke	Roberts
Bishop	Gilmer	Long (Lauderdale)	Rogers
Boyd	Glass	McClendon (Chambers)	Rozelle
Brannan	Goodwyn	McCorquodale	Salter
Branyon	Gordon	McLendon (Bullock)	Self
Brewer	Grant	Martin	Sessions
Britton	Gross	Merrill	Shumate
Broadfoot	Grouby	Morrow	Smith (St. Clair)
Cabiness	Hain	Murphy	Solomon
Callahan	Hanby	Nettles	Speaks
Camp	Hankins	Nichols	Steagall
Cates	Hardy	Oakley	Sullivan
Chambers	Hawkins	Oden	Thomas
Copeland	Hearn	Perry	Torbert
Cornett	Ingram	Phillips	Trimmier
Daniel	Jenkins	Pierce	Turner
Dickson	Johnson (Hardaway)	Powell	Vickers
Dodd			

—89

Nays:

Messrs.	Avery	Barnett	Goldthwaite
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—3

And the bill:

H. 502. Relating to workmen's compensation; amending Section 285 of Title 26, Code of Alabama 1940 in relation to the liability of the employer on burial expenses of employees.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Bassett	Brannan	Broadfoot
Albea	Bevill	Branyon	Brooks
Avery	Bishop	Brewer	Cabiness
Bailey	Boyd	Britton	Callahan

Camp	Gross	McLendon (Bullock)	Reynolds (Madison)
Casey	Grouby	Martin	Roberts
Cates	Guthrie	Meade	Rogers
Chambers	Hain	Merrill	Rozelle
Copeland	Hanby	Morrow	Self
Cornett	Hardy	Murphy	Sessions
Dickson	Hawkins	Nettles	Shumate
Dodd	Hearn	Nichols	Smith (Russell)
Dunn	Ingram	Oakley	Smith (St. Clair)
Edwards	Jenkins	Oden	Solomon
Engel	Johnson (Hardaway)	Perry	Speaks
Faulk	Johnson (J. T. Tom)	Phillips	Steagall
Ferguson	Johnston (Leonard)	Pierce	Thomas
Gilchrist	Jones (Covington)	Powell	Torbert
Gilmer	Jones (Monroe)	Ramey	Trimmier
Glass	Lee	Rast	Turner
Goldthwaite	Locke	Ray	Turnham
Goodwyn	McClendon (Chambers)	Reynolds (Chambers)	Vickers
Gordon	McCorquodale		

—90

And the bill:

H. 355. (with substitute). To amend Section 214, Title 26, Code of Alabama, 1940, as amended, the same relating to disqualification for benefits for unemployment.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Judiciary, said committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 214, Title 26, Code of Alabama, 1940, as amended, the same relating to disqualification for benefits for unemployment.

Be It Enacted by the Legislature of Alabama:

SECTION 1. That Section 214, Title 26, Code of Alabama, 1940, as amended, be amended to read as follows:

§ 214. DISQUALIFICATION FOR BENEFITS—An individual shall be disqualified for total or partial unemployment:

A. For any week in which his total or partial unemployment is directly due to a labor dispute still in active progress in the establishment in which he is or was last employed; regardless of whether or not he, his agent or organization is involved in, has the power to avert, or stands to benefit from the outcome of the labor dispute; for the purposes of this section only, the term "labor dispute" includes any controversy concerning terms, tenure, or conditions of employment, or concerning the association or representation of persons in negotiating, fixing, maintaining, changing or seeking to arrange terms or conditions of employment, regardless of whether the disputants stand in the proximate relation of employer and

employee. This definition shall not relate to a dispute between an individual worker and his employer.

This amendment in no way changes or abrogates the construction placed upon the word "establishment" by the State Supreme Court in the case of *Tennessee Coal Iron and Railroad Company vs Martin, et al*, 36 Southern 2nd, 547.

B. If he has left his employment voluntarily without good cause connected with such work; but he shall not be disqualified if:

(1) He was forced to leave work because he was sick or disabled, notified his employer of the fact as soon as it was reasonably practicable so to do and returned to that employer and offered himself for work as soon as he was again able to work; provided however, this exception shall not apply if the employer had an established leave-of-absence policy covering sickness or disability, and (a) the individual fails to comply with the same or soon as it is reasonably practicable so to do, or (b) upon the expiration of a leave-of-absence he shall fail to return to said employer and offer himself for work if he shall then be able to work, or, if he is not then able to work, he fails to so notify his employer of that fact and request an extension of his said leave-of-absence as soon as it is reasonably practicable so to do.

In case of doubt that an individual was sick or disabled, or as to the duration of any such sickness or disability, the director may, or if the employer requests it, the director shall require a doctor's certificate to establish the fact or facts that is or are in doubt.

An established leave-of-absence policy shall be any leave-of-absence policy covering sickness and disability communicated to the employee by the customary means used by the employer for communicating with his employees.

Provided, however, that nothing herein shall be construed or interpreted as authorizing the payment of benefits to any person during or for unemployment due to sickness or disability.

(2) He left his employment and immediately took another job and thereafter was employed on said other job for not less than ten weeks. For the purpose of this subsection another job shall not include self-employment. When this exception is applied, wages paid for that period of employment immediately preceding the separation to which the exception is applied which have not been heretofore determined to be benefit wages, shall not be determined to be employer's or employee's benefit wages for the purpose of the experience rating provisions of section 204 of this title. Except this exception shall not apply if he quits his new employment voluntarily without good cause connected with his work.

C. (1) If he was discharged or removed from his work for a dishonest or criminal act committed in connection with his work or for sabotage or an act endangering the safety of others or for actual or threatened deliberate misconduct after written warning to the individual.

(2) For the week in which he has been discharged for misconduct connected with his work (other than acts mentioned in subsection (1) of

this subdivision) and for not less than the five nor more than the ten next following weeks as determined by the director in each case according to the seriousness of the conduct.

(3) For the week or weeks (not to exceed four weeks) in which or for which he has been suspended as a disciplinary measure connected with his work, or for misconduct connected with his work.

D. (1) When an individual is disqualified for benefits under subsection B or C (1) of this section, he shall not thereafter be entitled to any benefits under this chapter on account of wages paid to him for the period of employment by the employer by whom he was employed when the disqualifying event occurred, and, provided further, that for the purposes of the experience rating provisions of section 204 of this title no portion of such wages shall be determined to be employee's or employer's benefit wages for any benefit years or base period.

(2) When an individual is disqualified for benefits under subsections C (2) and C (3) of this section the total amount of benefits to which he may otherwise be entitled as determined in accordance with section 209 of this title shall be reduced by an amount equal to the product of the number of weeks for which he shall be disqualified under subsections C (2) and C (3) of this section multiplied by his weekly benefit amount.

E. If he fails, without good cause, either to apply for or to accept available suitable work or to return to his customary self-employment when so directed by the director or when he is notified of suitable work or it is offered him through a state employment office or the United States employment service, or directly or by written notice or offer to any such employment office or employment service by an employer by whom the individual was formerly employed. Such disqualification shall be for a period of not less than six nor more than ten weeks from the date of said failure.

This disqualification shall not apply unless the individual has an established benefit year, or is seeking to establish one, at the time he fails without good cause, to do any of the acts set out in this subsection.

(1) In determining whether or not any work is suitable for an individual, the director shall consider the degree of risk involved to his health, safety, and morals, his physical fitness, and prior training, his experience and prior earnings, his length of unemployment and prospects for securing local work in his customary occupation, and the distance of the available work from his residence; provided that no work or employment shall be deemed unsuitable because of its distance from the individual's residence, if such work or employment is in the same or substantially the same locality as was his last previous regular place of employment and if the employee left such employment voluntarily without good cause connected with such employment.

(2) Notwithstanding any other provisions of this chapter, no work shall be deemed suitable and benefits shall not be denied under this chapter to any otherwise eligible individual for refusing to accept new work under any of the following conditions:

(a) If the position offered is vacant due directly to a strike, lockout, or other labor dispute;

(b) If the wages, hours, or other conditions of the work offered are substantially less favorable to the individual than those prevailing for similar work in the locality;

(c) If as a condition of being employed the individual would be required to join a company union, or to resign from or refrain from joining any bona fide labor organization.

F. For any week with respect to which he is receiving or has received remuneration in the form of wages in lieu of notice, or a dismissal or separation allowance.

G. For any week with respect to which or a part of which he has received or is seeking unemployment benefits under an unemployment compensation law of any other state or of the United States; provided, that if the appropriate agency of such other state or of the United States finally determines that he is not entitled to such unemployment benefits this disqualification shall not apply.

H. For any week with respect to which or a part of which he has received or is seeking a pension payment pursuant to an employment contract or agreement, provided that if it is finally determined he is not entitled to such pension payment this disqualification shall not apply; and provided further, that no claimant shall be disqualified from receiving benefits by virtue of the provisions of this subsection when his benefits are based entirely on wages earned from employment other than that from which he retired. If the retirement pay, the receipt of which is disqualifying under this subsection, is less than the weekly benefit which would otherwise be due under this chapter, he shall be entitled to receive, if otherwise eligible, weekly benefits reduced by the amount of such retirement pay.

I. For any week with respect to which or a part of which he has received or is seeking compensation for temporary disability under any workmen's compensation law; provided that if it is finally determined he is not entitled to such compensation, this disqualification shall not apply, and provided further that if such compensation is less than the benefits which would otherwise be due under this chapter, he shall be entitled to receive for such week, if otherwise eligible, benefits reduced by the amount of such payment.

J. For any week that such individual is engaged or employed by the works progress administration, the national youth administration, or any federal or state unit, agency or instrumentality in charge of public works, assistance through public employment, or work relief.

K. For any week in which he is self-employed and each week thereafter until he shall establish that he is no longer self-employed.

L. For the purposes of this chapter, no individual shall be considered available for work or receive any benefits for any period that such individual is away from work while on a bona fide leave-of-absence which has been granted by the employer, at the request of the individual or in accordance with an employment agreement."

SECTION 2. This Act shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming a law.

And the substitute was adopted.

Yeas 48; Nays 25.

Yeas:

Mr. Speaker	Faulk	Lee	Rast
Adams	Gilchrist	Long (Perry)	Reynolds (Chambers)
Avery	Gilmer	McClendon (Chambers)	Rogers
Bailey	Goodwyn	McCorquodale	Sessions
Barnett	Grant	McLendon (Bullock)	Smith (St. Clair)
Boyd	Hain	Martin	Solomon
Brannan	Hardy	Nettles	Speaks
Cornett	Hearn	Nichols	Thomas
Daniel	Ingram	Oakley	Torbert
Dickson	Johnson (Hardaway)	Pierce	Turner
Dodd	Jones (Covington)	Powell	Turnham
Dunn	Jones (Monroe)	Ramey	Vickers

—48

Nays:

Messrs.	Cabiness	Grouby	Murphy
Albea	Callahan	Guthrie	Perry
Bevill	Camp	Hanby	Self
Bishop	Casey	Johnston (Leonard)	Shumate
Brewer	Cook	Meade	Steagall
Broadfoot	Copeland	Merrill	Sullivan
Brooks	Ferguson		

—25

Mr. Goodwyn offered the following amendment to the bill, H. 355, as amended:

Amend the Substitute for H. B. 355 by adding the following language to Sub-Section L, in Section 1 of the bill: "Provided, however, this provision shall not apply during the period of an extended leave of absence if at the expiration of the original leave of absence the individual presents himself to his employer for work and no work is available, and such individual applies for an extended leave of absence in order to preserve his seniority and other employment rights."

And the amendment was adopted.

Yeas 65; Nays 8.

Yeas:

Mr. Speaker	Broadfoot	Franklin	Johnson (Hardaway)
Adams	Callahan	Gilchrist	Jones (Covington)
Albea	Camp	Gilmer	Jones (Monroe)
Avery	Cates	Goodwyn	Lee
Bailey	Copeland	Grant	Long (Perry)
Barnett	Cornett	Guthrie	McClendon (Chambers)
Bevill	Dickson	Hain	McCorquodale
Bishop	Dodd	Hanby	McLendon (Bullock)
Boyd	Dunn	Hardy	Martin
Brannan	Faulk	Hearn	Meade
Branyon	Ferguson	Ingram	Merrill

Nettles	Ramey	Self	Thomas
Nichols	Rast	Sessions	Torbert
Oakley	Ray	Smith (St. Clair)	Turner
Phillips	Reynolds (Chambers)	Speaks	Turnham
Pierce	Rogers	Sullivan	Vickers
Powell			

—65

Nays:

Messrs.	Cabiness	Grouby	Shumate
Brewer	Cook	Johnston (Leonard)	Steagall
Brooks			

—8

Mr. Copeland offered the following amendment to the bill, H. 355, as amended:

Amend Judiciary Substitute for H. B. No. 355 as follows:

Amend Sec. 214 A by striking therefrom the phrase, "Regardless of whether or not he, his agent or organization is involved in, has the power to avert, or stands to benefit from the outcome of the labor dispute"

The motion of Mr. Goodwyn to lay on the table the amendment offered by Mr. Copeland was lost.

Yeas 37; Nays 50.

Yeas:

Mr. Speaker	Goodwyn	McLendon (Bullock)	Rogers
Adams	Grant	Murphy	Rozelle
Boyd	Hain	Nettles	Sessions
Brannan	Hardy	Nichols	Smith (Russell)
Cornett	Hawkins	Oakley	Solomon
Dunn	Jones (Monroe)	Phillips	Taylor
Edwards	Lee	Powell	Thomas
Engel	McClendon (Chambers)	Rast	Torbert
Faulk	McCorquodale	Reynolds (Chambers)	Vickers
Gilmer			

—37

Nays:

Messrs.	Cabiness	Hankins	Perry
Albea	Callahan	Harris	Pierce
Avery	Camp	Hearn	Ramey
Bailey	Casey	Johnson (Hardaway)	Ray
Barnett	Cook	Johnston (Leonard)	Self
Bassett	Copeland	Jones (Covington)	Shumate
Bevill	Dodd	Locke	Smith (St. Clair)
Bishop	Ferguson	Long (Lauderdale)	Speaks
Branyon	Goldthwaite	Long (Perry)	Steagall
Brewer	Gordon	Meade	Sullivan
Britton	Grouby	Merrill	Trimmier
Broadfoot	Guthrie	Morrow	Turnham
Brooks	Hanby	Oden	

—50

The question was on the adoption of the amendment offered by Mr. Copeland to the bill, H. 355, as amended, and said amendment was lost.

Yeas 43; Nays 46.

Yeas:

Messrs.	Casey	Harris	Owens
Albea	Cook	Hearn	Perry
Bevill	Copeland	Johnson (Hardaway)	Pierce
Bishop	Dodd	Johnston (Leonard)	Salter
Branyon	Engel	Jones (Covington)	Self
Brewer	Ferguson	Locke	Shumate
Broadfoot	Gordon	Long (Lauderdale)	Smith (St. Clair)
Brooks	Grouby	Meade	Speaks
Cabiness	Guthrie	Merrill	Steagall
Callahan	Hanby	Morrow	Sullivan
Camp	Hankins	Murphy	Trimmier

—43

Nays:

Mr. Speaker	Faulk	Jones (Monroe)	Ramey
Adams	Franklin	Lee	Rast
Avery	Gilchrist	Long (Perry)	Reynolds (Chambers)
Bailey	Gilmer	McClendon (Chambers)	Rogers
Barnett	Goldthwaite	McCorquodale	Sessions
Bassett	Goodwyn	McLendon (Bullock)	Smith (Russell)
Britton	Grant	Nettles	Solomon
Cornett	Hain	Nichols	Taylor
Daniel	Hardy	Oakley	Thomas
Dickson	Hawkins	Phillips	Torbert
Dunn	Ingram	Powell	Vickers
Edwards	Jenkins		

—46

The motion of Mr. Shumate to indefinitely postpone the bill, H. 355, as amended, was lost.

Yeas 37; Nays 48.

Yeas:

Messrs.	Cook	Johnson (Hardaway)	Perry
Albea	Copeland	Johnston (Leonard)	Salter
Bevill	Dodd	Jones (Covington)	Self
Bishop	Engel	Locke	Shumate
Brewer	Gordon	Long (Lauderdale)	Smith (St. Clair)
Broadfoot	Grouby	Meade	Speaks
Brooks	Guthrie	Merrill	Steagall
Cabiness	Hanby	Murphy	Sullivan
Callahan	Hankins	Oden	Trimmier
Camp	Harris		

—37

Nays:

Mr. Speaker	Barnett	Cornett	Edwards
Adams	Bassett	Daniel	Faulk
Avery	Boyd	Dickson	Ferguson
Bailey	Casey	Dunn	Franklin

Gilchrist	Ingram	Nettles	Sessions
Gilmer	Jones (Monroe)	Nichols	Smith (Russell)
Goldthwaite	Lee	Oakley	Solomon
Goodwyn	Long (Perry)	Phillips	Taylor
Grant	McClendon (Chambers)	Pierce	Thomas
Hain	McCorquodale	Powell	Torbert
Hardy	McLendon (Bullock)	Rast	Turnham
Hawkins	Martin	Reynolds (Chambers)	Vickers

—48

On motion of Mr. Goodwyn the motion of Mr. Broadfoot to postpone further consideration of the bill, H. 355, as amended, until the thirty-second legislative day was laid upon the table.

Yeas 56; Nays 35.

Yeas:

Mr. Speaker	Dunn	Johnson (Hardaway)	Rast
Adams	Edwards	Jones (Monroe)	Reynolds (Chambers)
Avery	Faulk	Lee	Rogers
Bailey	Franklin	Long (Perry)	Rozelle
Barnett	Gilchrist	McClendon (Chambers)	Sessions
Bassett	Gilmer	McCorquodale	Smith (Russell)
Boyd	Glass	McLendon (Bullock)	Solomon
Branyon	Goldthwaite	Martin	Steagall
Britton	Goodwyn	Nettles	Taylor
Chambers	Grant	Oakley	Thomas
Cornett	Hain	Phillips	Torbert
Daniel	Hawkins	Pierce	Turner
Dickson	Ingram	Powell	Turnham
Dodd	Jenkins	Pruitt	Vickers

—56

Nays:

Messrs.	Camp	Hankins	Murphy
Albea	Cook	Hardy	Perry
Bevill	Copeland	Harris	Salter
Bishop	Engel	Johnston (Leonard)	Self
Brewer	Ferguson	Jones (Covington)	Shumate
Broadfoot	Gross	Locke	Smith (St. Clair)
Brooks	Grouby	Long (Lauderdale)	Speaks
Cabiness	Guthrie	Meade	Sullivan
Callahan	Hanby	Morrow	Trimmier

—35

MOTION TO ADJOURN LOST

The motion of Mr. Broadfoot that the House adjourn until Tuesday, August 8, 1961, at eleven o'clock A. M. was lost.

Yeas 33; Nays 62.

Yeas:

Messrs.	Bishop	Broadfoot	Cates
Adams	Branyon	Cabiness	Dodd
Bevill	Brewer	Callahan	Edwards

Engel	Jones (Covington)	Oden	Sessions
Grouby	Locke	Perry	Shumate
Hanby	Long (Lauderdale)	Rast	Sullivan
Hankins	Long (Perry)	Rogers	Trimmier
Harris	Morrow	Self	Turner
Hawkins	Murphy		

—33

Nays:

Mr. Speaker	Daniel	Ingram	Powell
Albea	Dickson	Jones (Monroe)	Pruitt
Avery	Dunn	Lee	Ramey
Bailey	Faulk	McClendon (Chambers)	Reynolds (Chambers)
Barnett	Ferguson	McCorquodale	Rozelle
Bassett	Franklin	McLendon (Bullock)	Salter
Boyd	Gilchrist	Martin	Smith (Russell)
Brannan	Gilmer	Meade	Smith (St. Clair)
Britton	Glass	Merrill	Solomon
Brooks	Goodwyn	Nettles	Speaks
Camp	Grant	Nichols	Steagall
Casey	Gross	Oakley	Taylor
Chambers	Guthrie	Owens	Thomas
Cook	Hain	Phillips	Turnham
Copeland	Hardy	Pierce	Vickers
Cornett	Hearn		

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**BILLS ON THIRD READING RESUMED
CONSIDERATION OF H. 355 RESUMED**

H. 355. To amend Section 214, Title 26, Code of Alabama, 1940, as amended, the same relating to disqualification for benefits for unemployment.

As amended, was again taken up.

The motion of Mr. Cabiness to postpone further consideration of the bill, H. 355, as amended, until the thirty-first legislative day was lost.

Yeas 37; Nays 56.

Yeas:

Messrs.	Casey	Harris	Perry
Albea	Cook	Jones (Covington)	Salter
Bevill	Copeland	Locke	Self
Bishop	Dodd	Long (Lauderdale)	Shumate
Brewer	Engel	Meade	Smith (St. Clair)
Broadfoot	Gross	Merrill	Speaks
Brooks	Grouby	Murphy	Steagall
Cabiness	Guthrie	Oden	Sullivan
Callahan	Hanby	Owens	Trimmier
Camp	Hankins		

—37

Nays:

Mr. Speaker	Avery	Barnett	Boyd
Adams	Bailey	Bassett	Brannan

Branyon	Gilmer	Long (Perry)	Pruitt
Britton	Glass	McClendon (Chambers)	Ramey
Cates	Goldthwaite	McCorquodale	Rast
Cornett	Goodwyn	McLendon (Bullock)	Reynolds (Chambers)
Daniel	Grant	Martin	Rogers
Dickson	Hain	Morrow	Sessions
Dunn	Hardy	Nettles	Smith (Russell)
Edwards	Hawkins	Nichols	Solomon
Faulk	Ingram	Oakley	Taylor
Ferguson	Johnston (Leonard)	Phillips	Thomas
Franklin	Jones (Monroe)	Pierce	Turner
Gilchrist	Lee	Powell	Vickers

—56

And said bill, H. 355, as amended, was then read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 49; Nays 46.

Yeas:

Mr. Speaker	Franklin	Lee	Rast
Adams	Gilchrist	Long (Perry)	Reynolds (Chambers)
Avery	Gilmer	McClendon (Chambers)	Rogers
Bailey	Glass	McCorquodale	Sessions
Barnett	Goodwyn	McLendon (Bullock)	Smith (Russell)
Bassett	Grant	Martin	Solomon
Boyd	Hain	Nettles	Taylor
Branyon	Hardy	Oakley	Thomas
Cornett	Hawkins	Phillips	Torbert
Daniel	Ingram	Powell	Turner
Dickson	Johnson (Hardaway)	Pruitt	Turnham
Dunn	Jones (Monroe)	Ramey	Vickers
Faulk			

—49

Nays:

Messrs.	Cook	Harris	Perry
Albea	Copeland	Hearn	Pierce
Bevill	Dodd	Johnston (Leonard)	Reynolds (Madison)
Bishop	Engel	Jones (Covington)	Salter
Brannan	Ferguson	Locke	Self
Brewer	Goldthwaite	Long (Lauderdale)	Shumate
Broadfoot	Gordon	Meade	Smith (St. Clair)
Brooks	Gross	Merrill	Speaks
Cabiness	Grouby	Morrow	Steagall
Callahan	Guthrie	Murphy	Sullivan
Camp	Hanby	Oden	Trimnicr
Casey	Hankins	Owens	

—46

And the bill:

H. 500. (with substitute). Relating to workmen's compensation; amending Section 293 of Title 26, Code of Alabama 1940 in relation to employer's liability for employees' medical, surgical and hospital service and injured employees' submission to physical examination.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Judiciary, said committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 293 of Title 26, Code of Alabama 1940, as amended, the same relating to medical, surgical and hospital service under the workmen's compensation law.

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 293, Title 26, Code of Alabama 1940, as amended, be, and the same is hereby amended to read as follows:

§ 293. Medical, surgical and hospital service.—

In addition to the compensation herein provided, the employer shall pay the actual cost of reasonably necessary medical and surgical treatment and attention, medicine, medical and surgical supplies, crutches, original artificial members, and other apparatus, as may be obtained by the injured employee during the first year of disability, or in case of death within said year, obtained during the period occurring between the time of the injury and his death therefrom. The total liability of the employer under this section shall not exceed the aggregate of one thousand eight hundred dollars, and the pecuniary liability of the employer for such services rendered the employee shall be limited to such charges as prevail for similar treatment in the community where the injured employee resides. In case an insurer of the employee or a benefit association is liable for such medical, surgical and hospital service, or for a part thereof, or in case the employee is entitled to the same or a part thereof, from any source whatever by virtue of any agreement or understanding, or law, state or federal, without any loss of benefit to the employee, the employer shall not be required in such case to pay any part of such expense, unless said benefits are insufficient to pay as much as said one thousand eight hundred dollars, and in such event the employer shall be liable for the deficiency only. All cases of dispute as to the necessity and value of such services shall be determined by the tribunal having jurisdiction of the claim of the injured employee for compensation. In addition to the medical and surgical treatment provided during one year of disability, the employer, may, if he so elects, furnish to the injured employee such medical and surgical treatment and attention, medical and surgical supplies, crutches, original artificial members, and other apparatus for such time thereafter as he desires to furnish the same, and the employee shall accept the same; if the employer furnishes such medical and surgical attention and supplies during such one year period he shall not be liable under this section, except for such of said services and supplies as may, in an emergency, be procured by the employee elsewhere; in no event, however, shall the total liability hereunder exceed one thousand eight hundred dollars. The injured employee must submit himself to examination by the employer's physician at all reasonable times, if requested to do so by the employer but the employee shall have the right to have a physician of his own selection present at such examination, in which case the employee shall be liable to such physician for his services. The employer shall pay for the services of the physician making the examination at the instance of the employer. And in case of

dispute as to the injury, the court may, at the instance of either party, or of its own motion, appoint a neutral physician of good standing and ability to make an examination of the injured person and report his findings to the court, the expense of which examination shall be borne equally by the parties. If the injured employee refuses to comply with any reasonable request for examination or refuses to submit to medical and surgical treatment and attention, or refuses to accept the medical service which the employer elects to furnish under the provisions of this chapter his right to compensation shall be suspended, and no compensation shall be payable for the period of such refusal. Any physician whose services are furnished or paid for by the employer, or any physician of the injured employee, and who treats or makes or is present at any examination of an injured employee may be required to testify as to any knowledge by him in the course of such treatment or examination as same related to the injury or disability arising therefrom. Any such physician shall, upon written request of the injured employee or his employer, furnish to such injured employee or his employer a written statement of his professional opinion as to the extent of the injury and disability. In all death claims where the cause of death is obscure or is disputed, any interested party may require an autopsy, the cost of which is to be borne by the party demanding the same.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming law.

And the substitute was adopted.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Daniel	Johnson (Hardaway)	Powell
Adams	Dickson	Johnson (J. T. Tom)	Pruitt
Albea	Dunn	Johnston (Leonard)	Ramey
Avery	Edwards	Jones (Covington)	Rast
Bailey	Faulk	Jones (Monroe)	Reynolds (Chambers)
Barnett	Ferguson	Lee	Reynolds (Madison)
Bassett	Franklin	Locke	Rogers
Bevill	Gilchrist	Long (Lauderdale)	Salter
Bishop	Gilmer	Long (Perry)	Self
Boyd	Glass	McClendon (Chambers)	Sessions
Branyon	Goldthwaite	McCorquodale	Shumate
Brewer	Goodwyn	McLendon (Bullock)	Smith (Russell)
Britton	Grant	Meade	Solomon
Broadfoot	Gross	Merrill	Speaks
Brooks	Grouby	Morrow	Steagall
Cabiness	Guthrie	Murphy	Sullivan
Callahan	Hain	Nettles	Thomas
Camp	Hanby	Oakley	Torbert
Cates	Hankins	Owens	Turner
Cook	Hardy	Perry	Turnham
Copeland	Hawkins	Phillips	Vickers
Cornett	Hearn	Pierce	

—87

Mr. Smith (St. Clair) offered the following amendment to the bill, H. 500, as amended:

Amendment to H. B. 500, as amended

Add the following sentence at the end of section 1: As used in this

section, the word "physician" shall include medical doctor, surgeon, or chiropractor.

The motion of Mr. Goodwyn to lay on the table the amendment offered by Mr. Smith (St. Clair) was lost.

Yeas 18; Nays 45.

Yeas:

Messrs.	Gilchrist	McLendon (Bullock)	Smith (Russell)
Bailey	Goodwyn	Pierce	Steagall
Cornett	Hawkins	Powell	Thomas
Dunn	Jones (Covington)	Pruitt	Torbert
Ferguson	Lee	Salter	

—18

Nays:

Messrs.	Copeland	Jones (Monroe)	Perry
Adams	Daniel	Locke	Phillips
Albea	Edwards	Long (Lauderdale)	Ramey
Barnett	Franklin	Long (Perry)	Reynolds (Madison)
Bevill	Goldthwaite	McCorquodale	Rogers
Bishop	Gordon	Meade	Self
Boyd	Gross	Merrill	Sessions
Brewer	Grouby	Morrow	Shumate
Cabiness	Guthrie	Murphy	Smith (St. Clair)
Callahan	Jenkins	Nettles	Speaks
Camp	Johnson (J. T. Tom)	Owens	Sullivan
Cook	Johnston (Leonard)		

—45

The question was on the adoption of the amendment offered by Mr. Smith (St. Clair) to the bill, H. 500, as amended, and said amendment was adopted.

Yeas 88; Nays 1.

Yeas:

Mr. Speaker	Chambers	Gross	Long (Perry)
Adams	Cook	Grouby	McClendon (Chambers)
Albea	Copeland	Guthrie	McCorquodale
Avery	Cornett	Hain	McLendon (Bullock)
Bailey	Daniel	Hanby	Martin
Barnett	Dickson	Hankins	Meade
Bassett	Dunn	Hardy	Merrill
Bevill	Edwards	Hawkins	Morrow
Bishop	Faulk	Hearn	Murphy
Boyd	Ferguson	Ingram	Nettles
Branyon	Franklin	Johnson (Hardaway)	Oakley
Brewer	Gilchrist	Johnson (J. T. Tom)	Oden
Britton	Gilmer	Johnston (Leonard)	Owens
Broadfoot	Glass	Jones (Covington)	Perry
Brooks	Goldthwaite	Jones (Monroe)	Phillips
Cabiness	Goodwyn	Lee	Pierce
Callahan	Gordon	Locke	Powell
Camp	Grant	Long (Lauderdale)	Pruitt

Ramey	Rozelle	Smith (Russell)	Sullivan
Reynolds (Chambers)	Self	Smith (St. Clair)	Thomas
Reynolds (Madison)	Sessions	Speaks	Turner
Rogers	Shumate	Steagall	Vickers

—88

Nay:

Mr. Salter

—1

And said bill, H. 500, as amended, was then read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Dunn	Johnston (Leonard)	Pruitt
Adams	Edwards	Jones (Covington)	Ramey
Albea	Faulk	Jones (Monroe)	Rast
Bailey	Ferguson	Lee	Reynolds (Chambers)
Barnett	Franklin	Locke	Reynolds (Madison)
Bassett	Gilchrist	Long (Lauderdale)	Roberts
Bevill	Gilmer	Long (Perry)	Rogers
Bishop	Glass	McClendon (Chambers)	Rozelle
Boyd	Goldthwaite	McCorquodale	Salter
Branyon	Goodwyn	McLendon (Bullock)	Self
Brewer	Gordon	Martin	Sessions
Britton	Grant	Meade	Shumate
Broadfoot	Gross	Merrill	Smith (Russell)
Brooks	Grouby	Morrow	Smith (St. Clair)
Cabiness	Guthrie	Murphy	Solomon
Callahan	Hain	Nettles	Speaks
Camp	Hanby	Oakley	Steagall
Cates	Hardy	Oden	Sullivan
Chambers	Hawkins	Owens	Taylor
Cook	Hearn	Perry	Thomas
Copeland	Ingram	Phillips	Turner
Cornett	Johnson (Hardaway)	Pierce	Turnham
Daniel	Johnson (J. T. Tom)	Powell	Vickers
Dickson			

—93

And the bill:

H. 115. To amend further Section 12, Title 12, Code of Alabama 1940, in relation to powers of courts of county commissioners.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 1.

Yeas:

Mr. Speaker	Bailey	Boyd	Broadfoot
Adams	Bassett	Branyon	Brooks
Albea	Bevill	Brewer	Cabiness
Avery	Bishop	Britton	Callahan

Cates	Gross	McCorquodale	Rogers
Chambers	Grouby	Martin	Rozelle
Cook	Guthrie	Meade	Self
Copeland	Hanby	Merrill	Sessions
Cornett	Hankins	Morrow	Shumate
Daniel	Hardy	Murphy	Smith (Russell)
Dickson	Hawkins	Nettles	Smith (St. Clair)
Dunn	Hearn	Oakley	Solomon
Edwards	Ingram	Perry	Speaks
Faulk	Jenkins	Phillips	Steagall
Ferguson	Johnson (Hardaway)	Pierce	Sullivan
Franklin	Johnson (J. T. Tom)	Powell	Taylor
Gilchrist	Johnston (Leonard)	Ramey	Thomas
Gilmer	Jones (Covington)	Rast	Torbert
Glass	Jones (Monroe)	Ray	Turner
Goldthwaite	Lee	Reynolds (Madison)	Turnham
Gordon	Long (Perry)	Roberts	Vickers
Grant	McClendon (Chambers)		

—86

Nay:

Mr. Long (Lauderdale)

—1

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Jenkins to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 850, was adopted.

And the bill:

H. 850. To amend Section 1 of Act No. 547, General Acts 1955, approved September 9, 1955.

Was taken up.

Mr. Harris offered the following amendment to the bill, H. 850:

Amend H. B. 850, Section 1, by deleting the term "25 miles" and inserting therein the term "50 miles"

And the amendment was adopted.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Branyon	Daniel	Glass
Adams	Britton	Dickson	Goldthwaite
Albea	Broadfoot	Dodd	Gordon
Avery	Brooks	Dunn	Grant
Bailey	Cabiness	Edwards	Gross
Barnett	Camp	Faulk	Grouby
Bassett	Cates	Ferguson	Guthrie
Bevill	Chambers	Franklin	Hain
Bishop	Cook	Gilchrist	Hankins
Boyd	Cornett	Gilmer	Hardy

Hawkins	McClendon (Chambers)	Pierce	Shumate
Hearn	McCorquodale	Powell	Smith (Russell)
Ingram	Martin	Ramey	Smith (St. Clair)
Johnson (Hardaway)	Meade	Rast	Solomon
Johnson (J. T. Tom)	Morrow	Ray	Steagall
Johnston (Leonard)	Murphy	Reynolds (Chambers)	Sullivan
Jones (Covington)	Nettles	Reynolds (Madison)	Taylor
Jones (Monroe)	Oakley	Rogers	Thomas
Lee	Oden	Rozelle	Turnham
Long (Lauderdale)	Perry	Self	Vickers
Long (Perry)	Phillips	Sessions	

—83

And said bill, H. 850, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Daniel	Hawkins	Phillips
Adams	Dickson	Hearn	Pierce
Albea	Dunn	Ingram	Powell
Avery	Edwards	Jenkins	Ramey
Bailey	Faulk	Johnson (Hardaway)	Rast
Barnett	Ferguson	Johnson (J. T. Tom)	Ray
Bassett	Franklin	Johnston (Leonard)	Reynolds (Chambers)
Bishop	Gilchrist	Jones (Monroe)	Reynolds (Madison)
Boyd	Gilmer	Lee	Rogers
Branyon	Glass	Locke	Rozelle
Brewer	Goldthwaite	Long (Lauderdale)	Sessions
Britton	Gordon	Long (Perry)	Shumate
Broadfoot	Grant	McClendon (Chambers)	Smith (St. Clair)
Brooks	Gross	McCorquodale	Solomon
Cabiness	Grouby	McLendon (Bullock)	Steagall
Camp	Guthrie	Martin	Sullivan
Casey	Hain	Meade	Taylor
Cates	Hanby	Murphy	Thomas
Chambers	Hankins	Nettles	Torbert
Cook	Hardy	Oakley	Turnham
Copeland	Harris	Perry	Vickers
Cornett			

—85

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Cornett to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 1045, was adopted.

And the bill:

H. 1045. To provide for establishment and operation of a medical clinic in the municipality of Hurtsboro, Russell County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Dickson	Ingram	Powell
Adams	Dunn	Jenkins	Ramey
Albea	Edwards	Johnson (Hardaway)	Rast
Avery	Faulk	Johnson (J. T. Tom)	Ray
Bailey	Ferguson	Johnston (Leonard)	Reynolds (Chambers)
Barnett	Franklin	Jones (Monroe)	Reynolds (Madison)
Bassett	Gilchrist	Lee	Roberts
Bevill	Gilmer	Locke	Rogers
Bevill	Glass	Long (Perry)	Rozelle
Boyd	Goldthwaite	McClendon (Chambers)	Self
Branyon	Gordon	McCorquodale	Sessions
Brewer	Grant	McLendon (Bullock)	Smith (Russell)
Britton	Gross	Martin	Smith (St. Clair)
Broadfoot	Grouby	Meade	Solomon
Cabiness	Guthrie	Merrill	Steagall
Camp	Hain	Murphy	Sullivan
Casey	Hanby	Nettles	Taylor
Cates	Hankins	Nichols	Thomas
Chambers	Hardy	Oakley	Torbert
Cook	Harris	Perry	Turnham
Cornett	Hawkins	Phillips	Vickers
Daniel	Hearn	Pierce	

—87

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 144. To repeal Act No. 624, S. 615, approved September 4, 1951, an act based on population and applying to Jackson County only according to the 1950 federal decennial census, which relates to the compensation and duties of the county superintendent of education.

Also:

H. 36. To alter, rearrange, and extend the boundary lines and corporate limits of the Town of Autaugaville, in Autauga County, Alabama.

Also:

H. 770. To alter, rearrange and extend the boundaries and corporate limits of the Town of Daleville, Dale County, Alabama, so as to annex certain territory to the town.

And finds same correctly enrolled.

VIRGIS M. ASHWORTH,
Chairman

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Morrow to suspend the rules in order to allow the Standing Committees to report, and to have the call of counties for the introduction of bills and for the introduction of resolutions was adopted.

BILLS ON SECOND READING

Mr. Smith (Russell), Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 913. To exempt certain residents of the state who are sixty-five years of age or over from the requirements of procuring peddlers or itinerant or transient vendors privilege licenses under certain conditions; and to prescribe penalties.

H. 912. To exempt certain bona fide residents of the state who are drawing disability insurance benefits under the federal Social Security Act from the requirements of procuring peddlers, itinerant or transient vendors privilege licenses under specified conditions; and to prescribe penalties.

Mr. Smith (Russell), Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 203. (with Substitute). To implement the provisions of that certain Constitutional Amendment that was proposed by Act No. 151 adopted at the 1957 Regular Session of the Legislature of Alabama and that authorizes the state to engage in works of internal improvement by promoting, developing, constructing, maintaining and operating along navigable streams and waterways of Alabama all manner of docks and facilities of every kind, in aid of commerce and use of waterways of the state, and to incur indebtedness and issue bonds for said purpose; to authorize the state to engage in such works of internal improvement at an additional cost of not exceeding \$3,500,000; to designate the Alabama State Docks Department and any department or agency of the state that may succeed to its functions as the agency to undertake, manage, operate and control such improvements; to prescribe the powers, duties and authority of said department in connection therewith; to provide for the acquisition of property to carry out the purposes of this act and for the exercise of the power of eminent domain with regard thereto; to authorize the state to become indebted to the extent of not exceeding \$3,500,000 in principal amount to carry out the provisions of this act and to issue its interest bearing direct general obligation bonds

therefor; to prescribe in general the terms of the bonds and the method and manner of the sale and issuance thereof; to provide the use of proceeds from the sale of the bonds; to authorize the state to issue its refunding bonds for the purpose of refunding any of the bonds issued pursuant to the said Constitutional Amendment; to provide for the payment of any indebtedness evidenced by bonds issued pursuant to this act, to make appropriation therefor, and to pledge the full faith and credit of the state to the payment of such indebtedness; to provide for the use of funds obtained from the operation of the improvements constructed with proceeds of any bonds issued under the provisions of said Constitutional Amendment; to authorize the use of personnel of the department at the Port of Mobile for the construction and operation of the improvements constructed with proceeds of any bonds issued under said Constitutional Amendment and the fair allocation of their compensation and expenses; to prohibit the use of revenues of the department derived from the operation of the state docks facilities at the Port of Mobile to pay any of the expenses of acquiring, maintaining or operating the improvements constructed with proceeds from the sale of bonds issued under said Constitutional Amendment, or to pay the principal of or interest on any of the bonds issued under said Constitutional Amendment; to provide for the investment of the proceeds from the sale of any of the bonds issued pursuant to the said Constitutional Amendment and of any funds derived from said improvements pending need for such funds; to require the maintenance of records of the total cost of the gross revenues from, and the expenses of operating each unit of development acquired, constructed, or operated pursuant to the provisions of this act, Act No. 98 adopted at the 1959 Regular Session of the Legislature, or Act No. 311 adopted at the 1957 Regular Session of the Legislature; to authorize the said department to fix and collect reasonable rates and charges for services rendered by, and for use of, facilities established pursuant to this act; to authorize the revocation of certain licenses; and to exempt the bonds and the interest thereon from taxation.

Mr. Smith (Russell), Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 7. To make an appropriation for the support of the Council of State Governments.

H. 8. To make an appropriation for the support of the Southern Regional Council on Mental Health Training and Research.

H. 9. To make an appropriation to the South's Regional Advisory Council on Nuclear Energy (RACNE) for the support and operation thereof.

Mr. Smith (Russell), Chairman of the Standing Committee on Ways and Means reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with amendment, and they were severally read a second time and placed on the Calendar, to-wit:

H. 10. (with amendment). To amend Section 2 of Act No. 355, approved August 23, 1957, entitled "An Act To authorize the execution of, and to give advance approval to, a compact between the State of Alabama and the State of Mississippi and any contiguous state, for the purpose of promoting the development of a navigable interstate waterway connecting

the Tombigbee and the Tennessee Rivers; to establish a joint agency and other offices for the administration of the compact; and to make an appropriation".

H. 859. (with amendment). To create and establish the Tennessee-Mulberry Waterway Commission for the purpose of promoting the development of a waterway system in the State of Alabama connecting Guntersville Lake on the Tennessee River with Bankhead Lake on the Warrior River, utilizing Mulberry Fork and Brown's Creek as parts of the water route so developed; providing for the appointment and compensation of members of the commission; prescribing their powers and duties; prescribing the manner in which such a commission can be dissolved; and to make appropriations.

Mr. Smith (Russell), Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 12. To appropriate the sum of \$100,000 out of any funds in the State Treasury to the credit of the General Fund not heretofore appropriated, to the Board of Trustees of Auburn University for experimental farm use.

H. 29. To appropriate from any funds in the State Treasury to the credit of the General Fund the sum of \$160,000 for the purpose of purchasing and installing a mechanical filing system in the State Department of Public Safety.

Mr. Smith (Russell), Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 32. (with amendment). To make an appropriation for each of the fiscal years ending September 30, 1962 and September 30, 1963 to the Armory Commission of Alabama to be used in providing necessary armory facilities for the Alabama National Guard and the Air National Guard units, including the matching of federal funds made available for such purposes and including the alteration, improvement and equipment of armories therefor.

Mr. Smith (Russell), Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 91. To appropriate out of any funds in the state treasury to the credit of the General Fund, not otherwise appropriated, the sum of Twenty-five Thousand Dollars (\$25,000) to the Department of Conservation, Division of State Parks, Monuments and Historical Sites, to be used only for the purchase of lands for the development and restoration of the Fort Toulouse Site in Elmore County, Alabama, and to provide for the lease, sale, swap, exchange, transfer or other disposition of such lands to the United States

Government without consideration if the United States Government will recognize said property as a historic site or national monument and will assume the management, control and operation of the Site after so recognizing same as a historic site or national monument.

H. 137. To provide for cooperation by the State of Alabama with other Southern States in nuclear development of the South, and making an appropriation for that purpose:

H. 14. To appropriate out of funds in the State Treasury to the credit of the State Health Department Vital Statistics Fund the sum of \$87,492.00, or so much thereof as may be necessary, for the purpose of enlarging and equipping the vault of the Bureau of Vital Statistics in the State Office Building, Montgomery, Alabama.

Mr. Smith (Russell), Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 886. (With Substitute). To amend Title 22, Section 199, Code of Alabama 1940, as amended, which relates to care and treatment of tubercular patients.

Mr. Smith (Russell), Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1126. To make an appropriation of funds to finance a poultry and egg research program and to prescribe a method to establish and carry out such a program.

H. 1149. To amend Section 366 of Title 52 of the Code of Alabama of 1940, as amended, which relates to the Teachers' Retirement System.

H. 1153. Providing for the custodianship by the State of Alabama of certain cemeteries or graveyards; and further providing for the utilization of convicts by the commissioner of corrections of the director of the state highway department to work upon, clean, restore and maintain such cemeteries or graveyards.

Mr. Smith (Russell), Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 661. (With Substitute). To propose an amendment to Section 194 of the Constitution, which relates to the poll tax.

The above bill was read a second time at length as required by the Constitution.

Mr. Smith (Russell), Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 688. To exempt certain motor vehicles from ad valorem taxation.

Mr. Smith (Russell), Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 841. (With Substitute). To re-organize the State Agency for Social Security; amending Section 2 (d) of Act No. 48, H. 34, approved November 1, 1950 (Acts of Alabama 1951, p. 102) entitled "An Act to provide Old-Age and survivors insurance for certain officers and employees of the State and local governments and making appropriations therefor."

Mr. Gilchrist, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1031. To amend Section 26 of Title 46, Alabama Code of 1940, relating to the admission to the state bar of graduates of the law department of the University of Alabama.

H. 1151. To amend Section 755 of Title 7, Code of Alabama 1940, relating to appeals from interlocutory decrees in equity cases.

H. 1129. To amend Section 18, Title 61, of the Code of Alabama of 1940 so as to alter and change the amount receivable by the widow of a decedent upon her dissent.

H. 1226. To authorize the incorporation as a public corporation of any district tuberculosis sanatorium established in this state pursuant to Act No. 287 enacted at the 1945 Regular Session of the Legislature of Alabama; to provide the procedure for such incorporation, for the consequences thereof and for the composition and election of the board of trustees for each such corporation; to grant broad powers to each such corporation, including the power to borrow money, to issue securities and to secure any such securities by mortgage and pledge of its properties and revenues; to specify certain details and characteristics of such securities; to exempt from taxation all property of each such corporation, all securities issued by each such corporation and the income therefrom and certain instruments executed by or to it; to provide that no such corporation be sued in action ex delicto; and to authorize any political subdivision or agency of the state to convey property to any such corporation without consideration and to appropriate funds thereto.

S. 246. To authorize Recorders in municipal courts to issue search warrants directed to municipal marshalls or policemen, and to provide the circumstances under which such search warrants may be issued.

S. 242. To suppress traffic in obscene publications, defining terms,

prescribing penalties, and providing enforcement procedures against residents or non-residents.

S. 2. Proposing an amendment of Section 178 of the Constitution of Alabama, which relates to the qualifications for voting, to change the residence requirements.

The above bill was read a second time at length as required by the Constitution.

Mr. Edwards, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1205. To amend Code of Alabama 1940, Title 29, Section 28, relating to the granting of licenses for the sale of malt or brewed beverages.

Mr. Edwards, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 322. (With Substitute). Relating to public health; regulating the handling, sale, and distribution of amphetamines, sometimes called "bensedrine", "dexedrine" or "bennie pills"; and prescribing penalties.

Mr. Harvey, Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1225. To authorize and permit teachers, who have retired under the terms of the Teacher Retirement Act of Alabama, when they are physically and mentally able to do so, in the opinion of the employing authority, to perform duties as substitute teachers or part time teachers, and to earn not more than twelve hundred dollars per year, as such substitute or part time teacher, without affecting their status under the Retired Teacher's Act of Alabama.

H. 1276. To name the state vocational trade school located in Montgomery County the "John M. Patterson Trade School."

Mr. Solomon, Chairman of the Standing Committee on Agriculture, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1200. To amend Sections 283, 287, 288 and 296 of Title 2 of the Code of Alabama of 1940, relating to the registration and sale of fertilizer and fertilizer material and the authority of the Commissioner of Agriculture and Industries and the State Board of Agriculture and Industries with respect thereto.

Mr. Grouby, Chairman of the Standing Committee on Local Government,

reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1056. Providing council-manager form of government which may be adopted by municipalities; and providing the method by which any municipality may adopt such form of municipal government.

H. 1098. Relating to elections; amending further Sections 77 and 80 of Title 17, Code of Alabama 1940, to provide further for establishing election precincts, districts, polling places, and correct lists of qualified voters.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 462. To amend Act No. 111, H. 419, approved June 30, 1955 (Acts of Alabama, 1955, p. 356), entitled "An Act To fix the salary of the tax collector of Mobile County, and to regulate the payment thereof."

H. 1224. Proposing an amendment to the Constitution of Alabama relative to levying special school taxes in Clay County.

The above bill was read a second time at length as required by the Constitution.

H. 1229. To establish the position of official host and guide for Baldwin County at Fort Morgan; to prescribe his duties and provide for his compensation by Baldwin County; and to appoint Hatchett Chandler to such position.

H. 1230. To alter and re-arrange the boundaries of the town of Centreville, Bibb County, so as to annex certain territory to the town.

H. 1232. To alter, rearrange and extend the corporate limits of the Town of Oxford, Calhoun County, Alabama.

H. 1234. To provide an expense allowance to members of the court of county commissioners, board of revenue or like governing body of all counties having a population of not less than 25,500 nor more than 25,700 according to the 1960 or any subsequent federal decennial census.

H. 1238. Relating to Colbert County; fixing the compensation of the chairman of the board of revenue, court of county commissioners, or other like governing body of Colbert County.

H. 1239. Relating to Colbert County; fixing the compensation of members, other than the chairman, of the board of revenue, court of county commissioners, or other like governing body of Colbert County.

H. 1240. To vacate and annul as a public street, thorough-fare, avenue or public way and to divest and terminate the right of the public and the City of Muscle Shoals, Alabama, to use as a street, thorough-fare, avenue

or public way that part of Worthington Avenue, Barry's Business Centre, Block "A", City of Muscle Shoals, Alabama, Colbert County, Alabama, lying between the easterly boundary of Burrough Avenue and the westerly boundary of Fords Way; also that part of said Worthington Avenue lying between the eastern boundary of Fords Way and the western boundary of Edison Avenue and also all that part of said Worthington Avenue lying between the eastern boundary of Edison Avenue and the west boundary of Firestone Avenue.

H. 1241. To abolish the Cullman County Hospital Administration Board and create in lieu thereof the Cullman County Hospital Board to operate and maintain the hospital owned jointly by the County of Cullman and the City of Cullman; to provide for the appointment and prescribe the compensation and duties of members of the board; to provide for the election of a chairman of the board and prescribe his duties; to authorize the board to hire an administrator of the hospital and regulate his duties; to regulate the operation of the hospital; to authorize the City of Cullman and the County of Cullman, in the month following any month in which the hospital records show that the operating expenses of the hospital exceed its income, to make appropriations, within a prescribed limit, to cover the deficit.

H. 1243. To increase the number of trustees of Cahaba Historical Commission and fix their terms; amending Section 1 of Act No. 486, H. 765, approved July 9, 1943.

H. 1244. To amend further Section 211 of Title 29, Code of Alabama 1940, which relates to the officers who may issue search warrants under the law regulating the possession, sale, and distribution of intoxicating liquors and alcoholic beverages.

H. 1246. To provide a council-manager form of municipal government which, by popular vote, may be adopted and thereafter abandoned in the manner herein prescribed by any city which has a population of not less than 50,000 nor more than 70,000, according to the 1960 or any subsequent federal decennial census; to define the legal status and prescribe the form of government and powers of any city adopting this council-manager form of government; to provide as the governing body of any such city a city council having the powers, duties, and authority and composed of such number of members, elected for the terms, authorized to perform the duties and draw the compensation prescribed in this Act; to provide for the appointment and removal of a city manager and, under certain conditions, of a temporary city manager; to prescribe the city manager's powers and duties and the manner of fixing and paying his compensation; to regulate purchases and contracts of the city; to provide for the adoption of an annual budget for any such city and to require the submission and prescribe the contents of budget estimates; to provide for succession in government of any such city; to provide for the continued existence and functioning of certain independent boards and commissions in the manner prescribed therefor when this form of government is adopted by any such city; and to preserve certain rights and privileges of certain municipal employees under civil service and retirement systems of such city.

H. 1254. To amend further an act approved November 4, 1950 entitled "An Act To Create a Board of Revenue for Jackson County; providing its powers and duties and for compensation of its members; prescribing penalties for violations of this Act; and abolishing the Court of County Commissioners of Jackson County" (Acts of Alabama 1950-51, Vol. 1, p. 126).

H. 1267. To propose an amendment to the Constitution relative to the payment of pensions to certain former officers of Mobile County and the municipalities therein.

The above bill was read a second time at length as required by the Constitution.

H. 1268. To provide for a program of tax equalization of all real property in any county of the state having a population of not less than 300,000 nor more than 500,000 according to the last or any subsequent federal decennial census; to place the duty, authority and responsibility for equalizing assessments of real property within such counties on the Tax Assessor of such counties; to provide for the division of such counties into districts for the purpose of tax assessment records; to require that certain records be kept and maintained on a current basis by the Tax Assessor of such counties; to describe the manner in which such records are to be kept; to provide a time within which the equalization program required herein is to be initially completed; to provide for a continuous program of appraisal of real property within such counties; to provide for the assessments of improvements to real property within such counties; to prescribe penalties for failure to assess, or properly assess, improvements to real property within such counties; to prohibit the remittance of any such penalties except as provided for by this Act; to provide for the publishing of reports of the progress of the carrying out of the provisions of the Act; to provide for a portable set of assessment records for use by appraisers appointed by the Tax Assessor; to define the duties of the Board of Tax Equalization in such counties in the matter of the equalization of assessments of real property; to provide that no outstanding obligations against the proceeds of any tax derived from assessments of real properties in such counties shall be impaired by the provisions of this Act; to provide for appeals of any assessment made by the Tax Assessor or ruling of the Board of Tax Equalization of such counties; to provide for the necessary personnel, supplies, materials, and equipment to carry out the provisions of this Act and to provide the manner in which personnel are to be appointed in such counties; to provide for the severability of the provisions of the Act; to repeal all laws or parts of laws in conflict with the provisions of this Act.

H. 1271. To repeal Act No. 384, S. 286, approved November 6, 1959, entitled "An Act Relating to municipalities having a population of not less than 40,000 nor more than 50,000, according to the last or any subsequent federal decennial census; providing optional forms of government which may be adopted by such municipalities; and providing the method by which any such municipality may adopt such an optional form of municipal government," (Acts of Alabama 1959, vol. 2, p. 999).

H. 1272. To repeal Act No. 509, S. 570, approved August 22, 1951, entitled "An Act Relating to cities having a population of not less than 35,000 nor more than 55,000 inhabitants; authorizing such cities to levy and collect privilege license taxes on the sale of malt or brewed beverages within their police jurisdictions at the same rate as such taxes are levied within their corporate limits," Acts of Alabama 1950-51, p. 900).

H. 1273. To repeal Act No. 187, S. 339, approved June 29, 1951, as amended, creating a firemen and policemen's pension and relief fund in cities having a population of not less than 45,000 nor more than 54,000 inhabitants according to the preliminary count as of April 1, 1951 of the latest federal census or which shall have such population according to any such census that may be taken hereafter, (Acts of Alabama 1950-51, p. 438).

H. 1275. To declare the public policy of the State with respect to violation of Section 420, Title 14, Code of Alabama (1940) as amended by an Act approved August 17, 1951, and as further amended by an Act approved July 24, 1953, in Counties in Alabama having a population of not less than 150,000, nor more than 250,000 inhabitants according to the last or any subsequent Federal decennial census; to determine and declare that prosecution and the impositions of criminal penalties is inadequate to prevent violations and that the remedy at law to enforce the same is inadequate in such Counties; to declare that habitual violations of the statute constitutes a legal nuisance in such Counties; to prevent unfair competition among merchants and shopkeepers by reason of violations of said statute as amended in such Counties; to provide for means and procedure and to prescribe evidentiary presumptions for the enforcement thereof by injunction and to confer jurisdiction for enforcement upon courts having equity jurisdiction in such Counties; to render the provisions of this Act severable; to declare the date on which the Act shall become effective.

H. 1289. To provide an allowance for expenses to the circuit solicitors of circuits composed of three counties having a combined population of more than 100,000.

H. 1290. Authorizing counties having a population of not less than 60,000 nor more than 62,500 and not less than 36,000 nor more than 37,500, according to the last or any subsequent federal decennial census, and the municipalities within such counties; either singly or jointly, to create Airport Authority Boards; providing for the selection of the members of such boards, and prescribing their qualifications and terms; and providing for the organization, jurisdiction, powers and duties of such boards.

H. 1295. To change the method of compensating certain officers of St. Clair County: Fixing the salaries of such officers, and providing for the clerical assistance, office space, equipment, and supplies necessary for the conduct of their offices.

H. 1296. To provide for and require the use of voting machines for registering, recording and computing the votes at all elections hereafter held in certain election precincts or beats in St. Clair County.

H. 1297. To alter the corporate limits of the City of Tuscaloosa, and to rearrange and define the boundaries thereof.

H. 1299. Relating to Walker County; abolishing the county court of Walker County and establishing in lieu thereof the Walker County Law and Equity Court; defining the court's jurisdiction and powers; providing for its officers, and their powers, duties and compensation; providing for the holding of the terms and sessions of the court; providing for the rules and procedure of the court; and providing for the transfer of all cases pending in the county court of Walker County to the Walker County Law and Equity Court.

H. 1300. Proposing an amendment to the Constitution of Alabama relative to levying special school taxes in Walker County.

The above bill was read a second time at length as required by the Constitution.

S. 335. To authorize the court of county commissioners, board of

revenue, or other like governing body of Madison County to provide additional funds to the probate judge for clerical help and assistance for the current year.

S. 374. To repeal Act No. 456, H. 836, approved July 6, 1943, entitled "To require all county officers on a salary basis in counties having a population of one hundred and forty thousand (140,000), or more according to the last or any subsequent Federal census to pay into the county treasury all fees, cost, commissions, and prerequisite derived from said offices or monies charged, or collected by them by reason of any official act or for the performance of any service connected directly or indirectly with said offices and to prescribe that the salary fixed by law shall be the sole and only compensation received by such officers for the performance of the duties of their office or any act or service charged for by them growing out of the performance of their official duties." (Acts of Alabama 1943, page 418.)

S. 375. To require all county officers on a salary basis in counties having a population of three hundred thousand (300,000), or more, according to the last or any subsequent Federal census to pay into the county treasury all fees, cost, commissions, and prerequisite derived from said offices or monies charged, or collected by them by reason of any official act or for the performance of any service connected directly or indirectly with said offices and to prescribe that the salary fixed by law shall be the sole and only compensation received by such officers for the performance of the duties of their office or any act or service charged for by them growing out of the performance of their official duties.

S. 379. To repeal Act No. 498, H. 328, approved July 6, 1945, entitled "To require all county officers on a salary basis in counties having a population of one hundred forty thousand (140,000), or more, according to the last or any subsequent Federal census to pay into the county treasury all fees, cost, commissions, and perquisite derived from said offices or monies charged, or collected by them by reason of any official act or for the performance of any service connected directly or indirectly with said offices and to prescribe that the salary fixed by law shall be the sole and only compensation received by such officers for the performance of the duties of their office or any act or service charged for them growing out of the performance of their official duties." (Acts of Alabama 1945, page 725).

S. 380. To require all county officers on a salary basis in counties having a population of three hundred thousand (300,000), or more, according to the last or any subsequent Federal census to pay into the county treasury all fees, cost, commissions, and perquisite derived from said offices or monies charged, or collected by them by reason of any official act or for the performance of any service connected directly or indirectly with said offices and to prescribe that the salary fixed by law shall be the sole and only compensation received by such officers for the performance of the duties of their office or any act or service charged for them growing out of the performance of their official duties.

S. 383. To repeal Act No. 281, H. 559, approved August 11, 1947, entitled "To confer on the Probate Courts in all counties of this State, which now have or may hereafter have a population of over 140,000 and less than 400,000, according to the last or any subsequent Federal census, general equity jurisdiction, concurrent with that of the Circuit Courts, in Equity, of this State in the administration of the estates of deceased persons,

minors and insane persons, including testamentary trust estates; and to confer on the judges of such Probate Courts the same powers and authority which Judges and Registers of the Circuit Courts of this State now have in connection with the administration of such estates in the Circuit Courts, in Equity; to provide for the pleading, practice and procedure in such matters, and for the enforcement of judgments and decrees and for appeals to the Supreme Court from the orders, judgments and decrees of such courts; and to provide for the compensation of the judges of such courts, including the assessment and collection of fees, commissions and cost of court for the performance of the duties authorized by this act. (Acts of Alabama 1947, page 140).

S. 384. To confer on the Probate Courts in all counties of this State, which now have or may hereafter have a population of over 300,000 and less than 500,000, according to the last or any subsequent Federal census, general equity jurisdiction, concurrent with that of the Circuit Courts, in Equity, of this State in the administration of the estates of deceased persons, minors and insane persons, including testamentary trust estates; and to confer on the judges of such Probate Courts the same powers and authority which Judges and Registers of the Circuit Courts of this State now have in connection with the administration of such estates in the Circuit Courts, in Equity; to provide for the pleading, practice and procedure in such matters, and for the enforcement of judgments and decrees and for appeals to the Supreme Court from the orders, judgments and decrees of such courts; and to provide for the compensation of the judges of such courts, including the assessment and collection of fees, commissions and cost of court for the performance of the duties authorized by this act.

S. 389. To repeal Act No. 429, H. 659, approved September 25, 1947, entitled "To require the tax assessor of counties having a population of not less than 140,000 and not more than 400,000 inhabitants as shown by the last or any succeeding federal census, in addition to such duties as are now required of him by law, to act in an advisory capacity to the county board of equalization, and to investigate complaints as to assessments and make reports thereon to said board, and to provide for additional compensation of the tax assessor of such counties on account of such extra duties." (Acts of Alabama 1947, page 311.)

S. 390. To require the tax assessor of counties having a population of not less than 300,000 and not more than 500,000 inhabitants as shown by the last or any succeeding federal census, in addition to such duties as are now required of him by law, to act in an advisory capacity to the county board of equalization, and to investigate complaints as to assessments and make reports thereon to said board, and to provide for additional compensation of the tax assessor of such counties on account of such extra duties.

S. 404. To propose an Amendment to the Constitution of Alabama relating to the levy and collection of special property taxes for public school capital outlay purposes in the County of Mobile, in the State of Alabama.

The above bill was read a second time at length as required by the Constitution.

S. 405. Relating to cities having a population of not less than 175,000 nor more than 250,000, according to the last or any subsequent federal decennial census; fixing the compensation of the members of the city commission, council, or like governing body of any such city.

S. 406. To repeal an Act entitled "Relating to cities having a population of not less than 125,000 nor more than 250,000, according to the last or any subsequent federal decennial census; fixing the compensation of the members of the city commission, council, or like governing body of any such city" approved September 6, 1957.

S. 410. Proposing an amendment to the Constitution of Alabama relating to industrial development of Lawrence County and municipalities therein.

The above bill was read a second time at length as required by the Constitution.

S. 416. To provide further for the purging the lists of registered voters in Chambers County; requiring and prescribing the procedure for the re-identification of registered voters; placing certain duties on the board of registrars, judge of probate, and the county governing body relative to the re-identification of registered voters; and providing a penalty for willfully making a false statement in connection with re-identification.

S. 444. Relative to cities in the State having a population of not less than 60,000 people nor more than 70,000 people, according to the last or any subsequent federal decennial census; providing for a commission form of government for such cities and making provisions for the election of the chairman of the commission board and two associate commissioners; providing for the time and manner of calling and of holding such election and providing for filing of a statement of candidacy therefor; providing for the filling of vacancies; providing for a commission board and its powers and authorities; providing for the distribution of functions of the city into three divisions, and for the duty of each commissioner with respect to said divisions; providing that the chairman of the commission board shall devote his full time to the duties of his office, and that each associate commissioner shall devote such time daily as may be necessary to perform the duties of his office; providing for the salary of the chairman and of each associate commissioner; providing that such of the provisions of Article 1, Chapter 4, Title 37 of the Alabama Code of 1940, as amended or as the same is hereafter amended, as are not inconsistent with the provisions of this act, shall apply to and govern the city after it shall become organized according to the provisions of this act; providing for the election of a recorder; providing that the existing government in any such city continue in force until the commissioners elected pursuant to this act qualify and take office; and providing for the repeal of all laws, whether general, special or local, in direct conflict with the provisions hereof.

S. 445. To fix the compensation of the sheriffs of all counties having populations of not less than 100,000 nor more than 115,000, according to the 1960 or any subsequent federal decennial census.

S. 446. To propose an amendment to the Constitution relating to the levy and collection of special property taxes for educational purposes in the territory subject to the jurisdiction and control of the City Board of Education of Tuscaloosa and in the territory of Tuscaloosa County.

The above bill was read a second time at length as required by the Constitution.

S. 447. To Establish for Chilton County, Alabama a Law and Equity

Court; to define its jurisdiction and power, to provide for its officers and appointment, election, terms of office, powers, duties and compensation; to provide for a Court Reporter for said Court and fix and prescribe his duties, compensation and to provide for the payment of his salary; to provide that said Court shall be open at all times for the trial of causes and the transaction of business; to provide the rules and procedures of said Court, to provide a fine and forfeiture fund of said Court; to provide for the transfer of certain causes now or hereafter pending in the Circuit Court, County Court, Probate Court and the Juvenile Court of Chilton County, Alabama and to give said court Juvenile and Domestic Relations jurisdiction; and to abolish the County Court of Chilton County, Alabama.

S. 453. To amend Section 339 of Title 62, Code of Alabama 1940, as amended, relating to the judges of the Fifteenth Judicial Circuit of Alabama (Montgomery County).

S. 458. To provide for the relief of Charlie Day; authorizing an appropriation from the funds of Barbour County for such purpose.

S. 459. To create and establish in the eastern division of Barbour County (Beats 1, 2, 4, 5, 11, 14 and 16 of Barbour County) an inferior court of limited jurisdiction of criminal cases and civil actions at law, to be known as the Court of Common Pleas of Barbour County, in lieu of the Inferior Court for Precinct Five of such county; providing for the officers of such court and for their term, powers, duties, compensation and method of selection; prescribing the jurisdiction of the court, regulating its procedure and process; fixing the costs, charges and commissions collectible in the court; and providing for the transfer of all cases pending in the Inferior Court for Precinct Five of Barbour County to the court hereby established.

S. 460. To repeal Act No. 455, H. 975, General Acts of Alabama, 1949, page 659, providing for an action of ejectment to recover possession of real property sold under a title retained agreement of sale in counties having a population of not less than 140,000 nor more than 300,000, as amended by Act No. 327, H. 876, General Acts of Alabama 1957, page 431.

S. 461. To provide in all counties in this State having a population of not less than 300,000 nor more than 500,000 according to the last or any subsequent Federal Census, for an action of ejectment to recover possession of real property sold under an agreement of sale whereby title to said real property is retained until full payment of the purchase price is made when default has been made in the payments provided for by such agreement of sale; to provide for the redemption of such property; to provide that said action shall not apply to real estate on which buildings and improvements are not located on the date of said agreement; and to provide that any such agreement of sale covering such improved real property may be cancelled and annulled when the purchaser has defaulted in the payments due by such agreement for a period of ninety (90) days by written notice to the purchaser either served on him personally or by registered mail of such default and cancellation.

S. 462. To repeal Act No. 174, S. 247, approved July 22, 1947, an act relating to the holding of advisory elections in counties having a population of more than 140,000 and less than 250,000 inhabitants (General Acts 1947, page 60).

S. 463. To repeal Act No. 563, S. 427, approved July 6, 1943 (Acts of

1942-1943, p. 561) and any and all other acts amendatory of said Act No. 563, which provides for an assistant for county coroner in all counties having a population of not less than 140,000 nor more than 300,000 according to the last or any subsequent federal census.

S. 464. To repeal Act No. 733, S. 543, approved September 20, 1957, Acts of 1957, vol. II, p. 1153), which fixes the compensation of the coroner in all counties having a population of not less than 140,000 nor more than 300,000 according to the last or any subsequent federal decennial census.

S. 465. To prescribe the compensation of coroners in all counties having a population of not less than 300,000 nor more than 500,000, according to the last or any subsequent decennial Federal census, and the method of payment thereof; to provide an assistant for such coroners to be known as the Coroner's Physician, and to provide for his appointment, qualifications, compensation, allowances and method of payment thereof.

S. 476. To repeal Act No. 133, H. 138, approved September 21, 1959, an act relating to the payment of a monthly expense allowance for each circuit judge in certain judicial circuits composed of one county classified on a population basis (Acts of Alabama 1959, vol. I, p. 655).

S. 477. To amend further Section 713 of Title 7, Code of Alabama 1940, which relates to the printing and publishing of legal advertisements.

S. 478. Relating to all cities in the State of Alabama having a population of not less than 60,000 people nor more than 70,000 people, according to the last or any succeeding regular federal decennial census; providing for a special referendum in any such city for the purpose of giving the qualified electors of the city an opportunity to express themselves for or against the participation by such city in an Urban Renewal Project; authorizing an expenditure from general funds of such municipality to pay the cost of such election; and authorizing expenditures from the general fund of such city to pay the cost of any election heretofore held prior to the adoption of this act; and approving prior expenditures for such elections which have been heretofore held.

S. 480. To alter, rearrange and extend the boundaries and corporate limits of the Town of Camden, Wilcox County, Alabama, so as to annex certain territory to the Town.

S. 481. To alter and rearrange the boundaries of the town of Camden, Wilcox County, so as to annex certain territory to the town.

S. 483. To repeal Act No. 166, H. 443, approved June 21, 1945, an act relating to the creation of redevelopment agencies in certain counties classified on a population basis (Gen. Acts 1945, p. 254).

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with amendment, and they were severally read a second time and placed on the Calendar, to-wit:

S. 487. (with amendment). To repeal Act No. 564, H. 985, approved October 8, 1947, an act relating to the power of municipal corporations

located within certain counties classified on a population basis to establish zoning districts and to regulate buildings and structures within their police jurisdictions (Gen. Acts 1947, p. 401).

S. 488. (with amendment). To repeal Act No. 52, H. 60, approved June 10, 1949, entitled "An Act to prescribe the hours during which the polls shall be open in counties having a population of three hundred thousand or more" (Acts of Alabama 1949, p. 77).

S. 490. (with amendment). To repeal Act No. 632, H. 1053, approved July 10, 1940, an act providing for trials of inquisitions of lunacy with or without juries in certain counties classified on a population basis (Gen. Acts of Alabama 1939, p. 999).

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 497. To authorize the City of Anniston, Alabama, to sell to Alabama Society for Crippled Children & Adults, a Corporation, for its reasonable market value the following described real property, to-wit:

Beginning at the Northeast corner of the intersection of Walnut Avenue with Thirteenth Street in the City of Anniston, Alabama; thence north along the east boundary line of Walnut Avenue a distance of 100 feet to a point; thence east and parallel with the north boundary line of Thirteenth Street a distance of 50 feet to a point; thence south and parallel with the east boundary line of Walnut Avenue a distance of 40 feet to a point; thence east and parallel with the north boundary line of Thirteenth Street to a point on the west boundary line of Moore Avenue; thence south along the west boundary line of Moore Avenue a distance of 60 feet to its point of intersection with the north boundary line of Thirteenth Street; thence west along the north boundary line of Thirteenth Street a distance of 150 feet to the point of beginning, said property being situated in the City of Anniston, Calhoun County, Alabama.

S. 498. To provide that in all counties having populations of not less than 55,000 nor more than 60,000 inhabitants according to the 1960 Federal Decennial Census or any subsequent Federal Decennial Census of the United States, the governing body of the county may transfer to the sheriff any supervision and control it has over county convicts.

S. 503. Proposing an Amendment to the Constitution of Alabama to authorize a hospital tax in Districts Three and Four of Tallapoosa County and the financing of hospitals and health facilities with bonds, warrants or certificates of indebtedness issued in anticipation of the collection of such tax.

The above bill was read a second time at length as required by the Constitution.

S. 506. To repeal Act No. 89, H-161, approved April 14, 1956, Page 385, Acts of Alabama, Special Sessions 1956, entitled "An Act relating to rivers, streams and public impounded water of any county having a population of not less than thirty-one thousand nor more than thirty-five

thousand according to the last or any subsequent federal decennial census: To authorize the director of conservation to zone such waters and designate the zones or areas thereof in which speed boats may be used or operated and the zones or areas for fishing, to prescribe safety rules and special rules and regulations governing the use and operation of boats and governing fishing in such waters, and to employ a safety patrolman to enforce such rules and regulations; to prescribe the duties of such safety patrolman; and to prescribe his salary."

Mr. Perry, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with amendment, and they were severally read a second time and placed on the Calendar, to-wit:

S. 485. (with amendment). To amend Code of Alabama 1940, Title 7, Section 221, which relates to consolidation of causes in the circuit courts of certain counties classified on a population basis.

S. 486. (with amendment). To provide further for assessing and collecting taxes in certain counties classified on a population basis, amending Code of Alabama 1940, Title 51, Sections 78 and 80.

S. 489. (with amendment). To provide that in all counties of this State which now have or may hereafter have a population of more than 500,000 according to the last or any subsequent federal census, the judge of the probate court of such counties may try inquisitions of lunacy with or without a jury; and to further provide that when a jury is demanded in such proceedings, said jury shall be impaneled in the same manner as is now provided for the trial of a will contest in the probate courts of this State.

Mr. Perry, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 496. To amend Act No. 488, General Laws of Alabama, approved September 10, 1957, Acts of 1957, p. 675, entitled, "To fix the time for opening and closing the polls at certain elections held in counties which now have or which may hereafter have a population in excess of 500,000, according to the last or any subsequent federal decennial census."

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Speaks:

H. 1306. To propose a constitutional amendment relative to levying additional taxes in Chilton County for acquiring, constructing and maintaining a vocational trade school and for rural and industrial development of the county.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Cornett and McCorquodale:

H. 1307. To provide a program for the protection of forest trees from insect infestation and disease. To establish a system and method for the suppression of infestation and disease in forest trees. To provide for cooperative agreements with the Federal Government, other agencies and persons. To provide for a fund known as the "Control of Forest Tree Insects and Diseases Fund," and to further provide an appropriation for the management of the program.

Ways and Means.

By Mr. Guthrie (with notice and proof):

H. 1308. To provide additional revenue in Cullman County; authorizing the Court of County Commissioners, Board of Revenue, or like county governing body, to levy, when approved at a referendum election, special county privilege license taxes paralleling, at lower rates, state sales and use taxes as provided for in Act No. 100, H. 94, approved August 18, 1959, and in Article 11 of Chapter 20, Title 51, Code of Alabama of 1940, as heretofore or hereafter amended or supplemented; and to provide for the ascertainment, collection, payment, distribution and use of the proceeds of such license tax; and for the enforcement of this Act; and to prescribe penalties and fixing punishment for any violation of this Act.

Local Legislation No. 1.

Notice and Proof H. 1308:

LEGAL NOTICE

A BILL TO BE ENTITLED AN ACT

To provide additional revenue in Cullman County; authorizing the Court of County Commissioners, Board of Revenue, or like county governing body, to levy, when approved at a referendum election, special county privilege license and excise taxes paralleling at lower rates, state sales and use taxes as provided for in Act No. 100, H. 94, approved August 18, 1959, and in Article 11 of Chapter 20, Title 51, Code of Alabama of 1940, as heretofore or hereafter amended or supplemented; and to provide for the ascertainment, collection, payment, distribution and use of the proceeds of such license tax and for the enforcement of this Act and to prescribe penalties and fixing punishment for any violation of this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. (a) If approved by a majority of the qualified voters of Cullman County who vote thereon at the referendum election provided for in subsection (b), the court of county commissioners, board of revenue, or like governing body of said county may adopt an order, ordinance, or resolution levying special county taxes, for educational purposes, to parallel state sales and use taxes, in the manner and at the rates prescribed in this Act.

(b) The court of county commissioners, board of revenue, or like governing body of Cullman County shall call and provide for holding an election for the purpose of determining whether or not such special county taxes shall be levied and imposed as provided in this Act. Notice of the

election shall be given not more than 45 nor less than 30 days before the date set for the election, by publication in a newspaper published in the county once a week for four successive weeks. The election shall be held on the same day as the next primary, general, or special election that is held in the county following the effective date of this enactment. The election shall be held and conducted in the manner provided by law for holding other county elections, and the cost of the election, including the cost of publishing the notice, shall be paid by the county. The question to be voted on shall be stated on the ballots substantially as follows; "Do you favor a special county sales and use tax to be used for schools by the County of Cullman and for general purposes by the City of Cullman?"

Section 2. (a) The special county taxes levied pursuant to this Act shall be privilege license and excise taxes in substance as follows:

1. Upon every person, firm, or corporation (not including the State of Alabama or the Alabama Alcoholic Beverage Control Board or ABC stores) engaged or continuing within Cullman County in the business of selling at retail any tangible personal property whatsoever, including merchandise and commodities of every kind and character (not including, however, bonds or other evidence of debt or stocks), an amount equal to one percent of the gross proceeds of sales of the business except where a different amount is expressly provided herein. Any person engaging or continuing in business as a retailer and wholesaler or jobber shall pay the tax required on the gross proceeds of retail sales of such businesses at the rate specified, when his books are kept so as to show separately the gross proceeds of sales of each business, and when his books are not so kept he shall pay the tax as retailer, on the gross sales of the business.

2. Upon every person, firm, or corporation engaged or continuing within Cullman County in the business of conducting or operating places of amusement or entertainment, billiard and pool rooms, bowling alleys, amusement devices, musical devices, theaters, opera houses, moving picture shows, vaudeville, amusement parks, athletic contests, including wrestling matches, prize fights, boxing and wrestling exhibitions, football and baseball games (including athletic contests conducted by or under the auspices of any education institution, or any athletic association thereof, or other association whether such institution or association be denominational, a state, county, or a city school, or other institution, association, or school), skating rinks, race tracks, golf courses or any other place at which any exhibition, display, amusement or entertainment is offered to the public or place or places where an admission fee is charged, including public bathing places, public dance halls of every kind and description, conducted or carried on within Cullman County, an amount equal to one percent of the gross receipts of any such business.

3. Upon every person, firm, or corporation engaged or continuing within Cullman County in the business of selling at retail machines or machinery used in mining, quarrying, compounding, processing and manufacturing of tangible personal property, and the parts of such machines or machinery, attachments and replacements therefor which are made or manufactured for use on or in the operation of such machines, and which are necessary to the operation of such machines and are customarily so used, an amount equal to one-half of one per cent of the gross proceeds of the sale of such machines, attachments, parts and replacements therefor.

4. Upon every person, firm, or corporation engaged or continuing within Cullman County in the business of selling at retail any automotive

vehicle or truck trailer and semi-trailer, an amount equal to one-half of one percent of the gross proceeds of the sale of said automotive vehicle or truck trailer and semi-trailer. Provided, that where any used automotive vehicle or truck trailer or semi-trailer is taken in trade, or in a series of trades, as a credit or part payment of the sale of a new or used vehicle, the tax levied herein shall be paid on the net difference, that is, the price of the new or used vehicle sold less a credit for the used vehicle taken in trade.

5. An excise tax may be imposed on—

The storage, use, or other consumption in Cullman County of tangible personal property purchased at retail, for storage, use or other consumption in Cullman County at the rate of one percent of the sale price of such property, regardless of whether the retailer is or is not engaged in business in Cullman County or in this state, except as provided in paragraphs a and b below; and

a. The storage, use, or other consumption in Cullman County of any new or used automotive vehicle, truck trailer or semi-trailer purchased at retail for storage, use, or other consumption in Cullman County, at the rate of one-half of one percent of the sales price of such automotive vehicle, truck trailer, or semi-trailer. Where any used automotive vehicle or truck trailer or semi-trailer is taken in a trade, or in a series of trades, as a credit or part payment on the sale of a new or used vehicle, the tax levied shall be paid on the net difference, that is, the difference in the price of the new or used vehicle sold less a credit for the used vehicle taken in trade; and

b. The storage, use, or other consumption in Cullman County of any machine or machinery used in mining, quarrying, compounding, processing and manufacturing of tangible personal property, including the parts of such machines or machinery, attachments, and replacements therefor which are made or manufactured for use on or in the operation of such machines, purchased at retail for storage, use, or other consumption in Cullman County, at the rate of one-half of one percent of the sales price of such machine or the parts, attachments, or replacements therefor.

c. There shall be exempted from the levy of such taxes the gross receipts of any business and the gross proceeds of all sales which are exempted under the state sales tax statutes from the computation of the amount of the state sales tax. And there shall also be exempted from the levy the storage, use, or other consumption of property, the storage, use, or other consumption of which is exempted under the state use tax statutes from the state use tax. Subject to these exemptions, every person storing or using or otherwise consuming in Cullman County tangible personal property purchased at retail shall be liable for the tax imposed, and the liability shall not be extinguished until the tax has been paid by such person; provided, however, that a receipt from a registered seller given to the purchaser of any property to be used, stored, or consumed in Cullman County shall be sufficient to relieve the purchaser from further liability for the tax to which such receipt may refer. The term "registered seller" means the person registered with the state department of revenue pursuant to the state sales tax statutes. The term "state sales tax statutes" means Act No. 100, H. 94, approved August 18, 1959, which levies a retail sales tax for state purposes, and includes all statutes, including amendments to said Act No. 100 which expressly set forth any exemptions from the computation of the tax levied in said Act No. 100, and all other statutes which expressly apply to, or purport to affect, the administration of said Act No. 100 and the incidence and collection of the tax imposed therein.

The term "state use tax statutes" means Article II of Chapter 20, Title 51, Code of Alabama 1940, as amended, including all statutes enacted which expressly set forth any exemptions from the computation of the tax levied in said Article II and all other statutes which expressly apply to, or purport to affect, the administration of the said article and the incidence and collection of the tax imposed therein.

Section 3. Unless otherwise expressly provided for in the order, ordinance, or resolution levying the taxes herein authorized, such taxes shall become effective on the first day of the second month next following the date of the order, ordinance, or resolution; provided, notice of the adoption of such an order, ordinance, or resolution must be given to the commissioner of the state department of revenue not less than 45 days before the taxes are to become effective. The taxes levied and imposed shall be in addition to all other taxes now provided by law and shall be collected as hereinafter provided.

Section 4. The sales tax levied pursuant to Section 2 shall be due and payable in monthly installments on or before the 20th day of the month next succeeding the month in which the tax accrues; the use tax levied pursuant to Section 2 shall be due and payable quarterly on or before the 20th day of the month next succeeding each quarterly period during which the storage, use, or other consumption, of the tangible personal property became taxable, each such quarterly period to end on the last day of each of the months of March, June, September and December. All taxes levied pursuant to this Act shall be paid to and collected by the state department of revenue at the same time and along with the collection of the state sales tax and the state use tax. On or prior to the due dates of the taxes levied each person subject to such taxes shall file with the state department of revenue a report or return in such form as may be prescribed by the department, setting forth with respect to all sales and business that are required to be used as a measure of the tax levied, a correct statement of the gross proceeds of all such sales and the gross receipt of all such business, and setting forth with respect to the use tax levied, the total sales price of all property, the use, storage, or other consumption of which became subject to the tax during the then preceding quarterly period. Such reports shall include also such other items of information pertinent to the said taxes and the amount thereof as the state department of revenue may require. Any person subject to the taxes levied may defer reporting credit sales until after their collection, and in the event he so defers reporting them, he shall thereafter include in each monthly report all credit collections made during the month preceding, and shall pay the taxes due thereon at the time of filing such report. All reports or returns filed with the state department of revenue under this section shall be available for inspection by the governing body of Cullman County, or its designated agent, at reasonable times during business hours.

Section 5. Every registered seller making sales of tangible personal property for storage, use, or other consumption in Cullman County (which storage, use, or other consumption is not exempted from the tax imposed; shall at the time of making such sale, or, if the storage, use, or other consumption of such tangible personal property in Cullman County is not then taxable under this Act, at the time such storage, use, or other consumption becomes taxable hereunder, collect the tax from the purchaser, and shall give to the purchaser a receipt therefor in the manner and form prescribed by the state department of revenue. On the twentieth day of the month following the close of each quarterly period provided for in Section 4 hereof, each registered seller shall file with the state department of revenue a return for the preceding quarterly period in such form as may be

prescribed by the department, showing the total sales of the tangible personal property sold by such registered seller, the storage, use, or other consumption of which became subject to the tax imposed during the then preceding quarterly period; and each return shall be accompanied by a remittance of the amount of the tax required to be collected by such registered seller during the period followed by the return; provided, that any registered seller may defer collecting the tax with respect to credit sales until collection of the proceeds of such sales and may defer reporting credit sales until after their collection, but shall thereafter collect the said taxes along with collection of said credit sales and shall include in each quarterly report all credit collections made during the preceding quarterly period, and shall remit the taxes with respect thereto at the time of filing such report or return. Any person who has paid to a registered seller the tax with respect to the use, storage, or other consumption of tangible personal property in Cullman County need not file a report or make any further payments of the said tax, but each person who purchases tangible personal property, the storage, use, or other consumption of which is subject to the tax imposed, and who has not paid the tax due with respect thereto to a registered seller, shall report and pay the tax as required by Section 4.

Section 6. Each person engaging or continuing within Cullman County in a business subject to the taxes levied pursuant to Section 2 shall add to the sales price or admission fee and collect from the purchaser or the person paying the admission fee the amount due by the taxpayer on account of said taxes; and every registered seller shall likewise add to the sales price and collect from the purchaser the amount of any tax which such registered seller is required to collect. It shall be unlawful for any person subject to the tax levied to fail or refuse to add to the sales price or admission fee and to collect from the purchaser or person paying the admission fee the amount herein required to be so added to the sales or admission price and collected from the purchaser, and it shall likewise be unlawful for any person subject to said tax to refund or offer to refund all or any part of the amount so collected or to absorb or advertise directly or indirectly the absorption or refund of said tax or any portion thereof. It shall likewise be unlawful for any registered seller to fail or refuse to add to the sales price and to collect from the purchaser the amount of the tax imposed or to refund or offer to refund or absorb or to advertise directly or indirectly the absorption of, said tax or any portion thereof.

Section 7. The taxes imposed pursuant to this Act shall constitute a debt due Cullman County and may be collected by civil suit, in addition to all other methods provided by law and in this Act. The said taxes, together with interest and penalties with respect thereto, shall constitute and be secured by a lien upon the property of any person from whom said taxes are due or who is required to collect said taxes. All provisions of the revenue laws of this state which apply to the enforcement of liens for license taxes due the state shall apply fully to the collection of the county taxes levied, and the state department of revenue, for the use and benefit of Cullman County shall collect such taxes and enforce this Act and shall have and exercise for such collection and enforcement all rights and remedies that this state or the department has for collection of the state sales tax and the use tax. The state department of revenue shall have full authority to employ such special counsel as it deems necessary from time to time to enforce collection of the taxes authorized to be levied by this Act, and to otherwise enforce the provisions of this Act, including any litigations involving the Act; and the department shall pay such special counsel such fees as it deems necessary and proper from the proceeds of the taxes collected by it for Cullman County.

Section 8. All provisions of the state sales tax statutes with respect to payment, assessment and collection of the state sales tax, making of reports and keeping and preserving records with respect thereto, interest after due date of tax, penalties for failure to pay tax, make reports, or otherwise comply with the state sales tax statutes, the promulgation of rules and regulations with respect to the state sales tax and the administration and enforcement of the state sales tax statutes, which are not inconsistent with the provisions of this Act when applied to the tax levied pursuant to Section 2 hereof, shall apply to the county tax levied, and all provisions of the state use tax statutes with respect to payment, assessment and collection of the state use tax, making quarterly reports and keeping and preserving records with respect thereto, interest after due date of tax, penalties for failure to pay tax, make reports or otherwise comply with the state use tax statutes the promulgation of rules and regulations with respect to the state use tax, and the administration and enforcement of the state use tax statutes which are not inconsistent with the provisions of this Act when applied to the county use tax levied shall apply to the county tax. The commissioner of revenue and the state department of revenue shall have and exercise the same powers, duties and obligations with respect to the county taxes levied as are imposed on the commissioner and the department, respectively, by the state sales tax statutes and the state use tax statutes. All provisions of the state sales tax statutes and the state use tax statutes that are made applicable to this Act to the county taxes levied and to the administration of this Act are incorporated herein by reference and made a part hereof as if fully set forth herein.

Section 9. The state department of revenue shall charge Cullman County for collecting the special county taxes levied such amount or percentage of total collections as may be agreed upon by the commissioner of revenue and the court of county commissioners, board of revenue, or like governing body of the county, but such charge shall not in any event exceed three percent of the total amount of special county taxes collected hereunder within the county. Such charge for collecting the special taxes for the county may be deducted each month from the special sales and special use taxes collected before certifying the amount of the proceeds thereof due Cullman County for that month. The commissioner of revenue shall pay into the state treasury all county taxes collected under this Act, as such taxes are received by the department of revenue; and on or before the first day of each successive month (commencing with the month following the month in which the department makes the first collections hereunder), the commissioner shall certify to the state comptroller the amount of taxes collected under the provisions of this Act and paid by him into the state treasury for the benefit of Cullman County during the month immediately preceding the making of such certificate. Provided, however, that before certifying the amount of the taxes paid into the state treasury for the benefit of Cullman County during each month, the commissioner may deduct from the taxes collected in said month the charges due the department for the collection of the taxes for the county. It shall be the duty of the comptroller to issue his warrant each month payable to the custodian of the public school funds of Cullman County, in his official capacity, in an amount equal to the amount so certified by the commissioner of revenue as having been collected for the use of the county. The custodian of public school funds for Cullman County shall deposit the revenue derived from the taxes levied herein in a special account separate and apart from other public school funds of the county, and shall maintain separate records of such special account. The county board of education shall require an additional bond of the custodian of public school funds, in an amount to be prescribed by the board of education and payable to the board and conditioned as prescribed by law. Such additional bond shall be filed and recorded in the office of the Judge of Probate of the county. The premiums

on such bond shall be paid from any school funds derived hereunder. The net proceeds from the tax levied pursuant to this Act shall be divided between the County Board of Education of Cullman County, Alabama, and the City of Cullman, Alabama, as follows: The City of Cullman shall receive annually the sum of \$25,000 payable to the city treasurer by the custodian referred to herein at the rate of \$2,000 per month for eleven months, and \$3,000 for the twelfth month. Exclusive of said \$25,000 payable to the City, the remaining proceeds shall be divided equally between the County Board of Education of Cullman County, Alabama, and the City of Cullman, Alabama, payable on a monthly basis. — Said division resulting in the City of Cullman receiving 50% of the net proceeds plus \$25,000 for each twelve month period of collection. The county's share of the proceeds shall be used exclusively for educational purposes, including transportation, maintenance and upkeep of buildings and current expenses other than teachers' salaries. The city's share of the proceeds shall be used for general municipal purposes.

Section 10. That the payment of the sums of such proceeds to the City of Cullman provided for hereunder shall be made not later than five days from the date of receipt of such funds by such custodian from the comptroller.

Section 11. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 12. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert Bryan, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Times, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 13, July 20, July 27, and Aug. 3, all in the year 1961.

ROBERT BRYAN.

Sworn to and subscribed before me Aug. 3, 1961.

MARIE W. BERGIN,
Title Notary Public.
4-5-65.

By Mr. Hain:

H. 1309. Providing for the operation, as a part of the Medical College of Alabama and of University Hospital, and under the designation University Psychiatric Unit, of that certain hospital unit for the care and

treatment of the mentally ill and the training of medical students in the field of mental illness; for the construction and equipment of which bonds were authorized to be issued by that certain amendment known as Amendment CXLI which was proposed by Act No. 310 adopted at the 1959 Regular Session of the Legislature of Alabama; providing that the chairman of the Department of Psychiatry of the Medical College of Alabama shall act as Psychiatrist in Chief providing for the office of Director of the said unit; providing that the said unit shall be under the management, ownership, and control of the Board of Trustees of the University of Alabama; providing that the said board shall have full power to establish policies and rules as to the admission and discharge of patients of said unit, subject to the requirement that such policies and rules shall be consistent with the laws of this state and shall include a directive that certain guiding principles as to the admission of patients be taken into consideration, to the extent deemed feasible by the Director of the said unit; and requiring the Director of the said unit to notify all Judges of Probate in the state when it has been completed and placed in operation.

Judiciary.

By Messrs. Hain, Gilmer and Hardy:

H. 1310. To regulate further the compensation of registrars in all counties having populations of not less than 55,000 nor more than 60,000.

Ways and Means.

By Mr. Harris:

H. 1311. To apply in all counties having populations of not less than 40,000 nor more than 45,000; requiring persons engaged in open cut or strip mining to cover, fill up, or place and maintain a substantial enclosure around any abandoned or unused strip, cut or mine; providing for enforcement by the director and department of industrial relations; prescribing penalties.

Local Legislation No. 1.

By Messrs. Johnston (Leonard), Johnson (Hardaway), Speaks and Grouby:

H. 1312. To amend Section 1 of Act No. 23, H. 3, Second Special Session 1955, an act relating to the Nineteenth Judicial Circuit and authorizing the circuit solicitor to appoint a stenographic secretary.

Local Legislation No. 1.

By Messrs. Johnston (Leonard) and Johnson (Hardaway):

H. 1313. Relating to all counties which have populations of not less than 28,000 nor more than 30,550 according to the most recent or any subsequent federal decennial census; levying a license tax on persons and others engaging in selling tangible personal property at retail and on persons and others conducting places of amusement in said counties, the said tax to be measured by the gross receipts or gross proceeds of such businesses; levying an excise tax on the storage, use or other consumption in said counties of tangible personal property purchased for use, storage or other consumption in said counties; specifying sales and transactions that are exempt from the measurement of the said license tax; specifying property the use, storage or other consumption of which is exempt from the said excise tax; providing for payment of said taxes, making reports and maintaining records with respect thereto, the collection of the said

taxes, and the enforcement of the provisions of this act; making applicable to the taxes herein levied, and adopting by reference, certain provisions of Act No. 100 adopted at the 1959 Second Special Session of the Legislature of Alabama and of Article 11 of Chapter 20 of Title 51 of the Code of Alabama, as amended; providing that the Commissioner of Revenue and the State Department of Revenue shall have all powers and duties respecting the taxes herein levied and the collection thereof that they have under said Act No. 100 and said Article 11, as amended as aforesaid; providing for collection of said excise tax by sellers registered under Section 790 of Title 51 of the Code of Alabama of 1940, as amended; providing that the said license tax shall be added to the sales price or admission fee and passed on to the purchaser or person paying the said admission fee; providing for a discount to persons subject to the said license tax and to such registered sellers; providing for a charge by the State Department of Revenue for collecting the taxes herein levied; and providing for the use of the revenues from said taxes.

Local Legislation No. 1.

By Messrs. Rozelle, Dodd, Harris and Britton:

H. 1314. To amend further Sections 385 and 402 of Title 51, Code of Alabama 1940, and to amend Section 1 of Act No. 208, H. 208 of the Regular Session of 1951 (Acts of Alabama 1951, vol. 1, p. 471), and Sections 2 and 12 of Act No. 289, H. 273 of the Regular Session of 1955 (Acts of Alabama 1955, vol. 1, p. 661), all of which relate to Alabama income tax, so as to delete from each of these laws the provisions allowing the deduction of federal income taxes paid from a taxpayer's income when determining the amount of income subject to the Alabama income tax.

Ways and Means.

By Messrs. Cabiness and Gross:

H. 1315. To propose an amendment to the Constitution providing for the levy and collection of an additional property tax for educational purposes in Jackson County.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Perry, Morrow, Rast, Sessions, Edwards, Hawkins and Locke (with notice and proof):

H. 1316. For the relief of Richard R. Andrews and to authorize and direct the City of Birmingham, Alabama, to pay on behalf of the said Richard R. Andrews, an amount not to exceed One Thousand Two Hundred Fifty Dollars (\$1250.00) for medical services, including hospital charges rendered to the said Richard R. Andrews for an operation necessitated by injuries received by Richard R. Andrews while acting within the line and scope of his employment as a police officer for the City of Birmingham.

Local Legislation No. 2.

Notice and Proof H. 1316:

NOTICE OF LOCAL RELIEF BILL TO BE PRESENTED TO THE
LEGISLATURE

Notice is hereby given that Richard R. Andrews will apply to the State

Legislature of the State of Alabama at its regular session which begins the first Tuesday in May, 1961, for the passage of the hereinafter published bill wherein he will ask the Legislature to require and compel the City of Birmingham to pay him compensation for injuries and damages that he sustained while acting within the line and scope of his employment as a Police Officer for the City of Birmingham on February 22, 1953 and will ask of the Legislature that he be granted compensation for his said injuries in the sum of Ten Thousand Dollars (\$10,000) or such other sum as the Legislature may determine to be fair and just. This publication is without cost to the State of Alabama or the City of Birmingham.

The proposed bill to be presented will read as follows:

A BILL
TO BE ENTITLED
AN ACT

For the relief of Richard R. Andrews and to authorize and direct the City of Birmingham, Alabama, to pay to said Richard R. Andrews the sum of Ten Thousand Dollars (\$10,000.00) for injuries received by Richard R. Andrews while acting within the line and scope of his employment as Police Officer for the City of Birmingham.

Be It Enacted by the Legislature of Alabama:

SECTION I. The City of Birmingham is hereby authorized and directed to pay to Richard R. Andrews the sum of Ten Thousand Dollars (\$10,000.00) as compensation and damages for injuries received by Richard R. Andrews resulting from an injury called pilonidal sinus which was sustained in the line of his duty on February 22, 1953 while attempting to subdue a prisoner. He was thrown or fell on a concrete floor receiving an injury to base of his spine. The pilonidal sinus has been treated and excised on numerous occasions since the receipt of such injury and the wound has not yet healed. That the said sum herein ordered paid shall be in addition to any benefits, credits or remunerations that have already been allowed or paid to the said Richard R. Andrews. The said sum of money, as aforesaid, is to be paid to said Richard R. Andrews out of such monies as may be constitutionally available and to be paid to him within sixty (60) days after the passage of this Act and the effective date thereof.

SECTION II. This Act shall become effective thirty (30) days after its passage and approval by the Governor or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Mary B. Wheeler who, being by me first duly sworn, deposes and says that she is the PUBLISHER of THE BIRMINGHAM MESSENGER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since

said date. And that there was published in said newspaper in the issues of March 4, 11, 18, 25, 1961, a legal notice, a copy of which is hereto attached.

MARY B. WHEELER,
Publisher.

Sworn and subscribed to on this the 27th day of March, 1961.

SARA WHEELER,
Notary Public.

By Messrs. Sessions, Rast, Hawkins, Perry, Edwards, Morrow and Locke:

H. 1317. To fix the compensation of election officers in all general, special, municipal and primary elections held in counties which now have, or which may hereafter have, a population in excess of 500,000 according to the last or any subsequent Federal decennial census; to provide for election workers in elections held to extend the boundary lines of any city or town within such counties and to prescribe their duties; and to provide that this act shall be supplemental to Act No. 694 of Acts of the 1957 Regular Session.

Local Legislation No. 2.

By Messrs. Rast, Edwards, Sessions, Hawkins, Perry, Morrow and Locke:

H. 1318. TO PROVIDE FOR AN APPEAL TO THE CIRCUIT COURT, OR COURT OF LIKE JURISDICTION, FROM ANY FINAL JUDGMENT OR DECISION OF A ZONING BOARD OF ADJUSTMENT ESTABLISHED UNDER ACT NUMBER 528 OF THE 1959 REGULAR SESSION OF THE LEGISLATURE OF ALABAMA (ACTS OF ALABAMA 1959, PAGE 1302), APPLICABLE TO ANY CITY WHICH MAY NOW OR HEREAFTER HAVE A POPULATION OF THREE HUNDRED THOUSAND INHABITANTS OR MORE ACCORDING TO THE LAST OR ANY SUBSEQUENT FEDERAL CENSUS.

Local Legislation No. 2.

By Messrs. Hankins, Branyon, Self, Sullivan, Bishop, Gordon, Johnson (Hardaway), Johnston (Leonard), Ingram, Jones (Covington), Powell, McLendon (Bullock), Long (Lauderdale), Turnham, Torbert, Johnson (J. T. Tom), Guthrie, Cabiness, Harris and Jenkins:

H. 1319. Relating to the levy of additional taxes for certain purposes in all counties having a population of 50,000 or less inhabitants according to the 1960 or any subsequent federal decennial census; authorizing the court of county commissioners, board of revenue, or other like governing body of such counties to levy, when approved at a referendum election, special county privilege license and excise taxes paralleling state sales and use taxes as provided for in Act No. 100, H. 94, approved August 18, 1959, and Article 11 of Chapter 20, Title 51, Code of Alabama 1940, as heretofore amended and supplemented; providing for collection and enforcement of such taxes by the state department of revenue.

Ways and Means

By Messrs. Grant and Daniel (with notice and proof):

H. 1320. To alter, rearrange, and extend the boundary lines and corporate limits of the City of Linden, in Marengo County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 1320:

NOTICE OF INTENTION TO APPLY FOR LOCAL LAW

The following bill will be introduced at the present session of the Legislature of Alabama, and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter, rearrange, and extend the boundary lines and corporate limits of the City of Linden, in Marengo County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the present boundary and corporate limits of the City of Linden, in Marengo County, Alabama, are hereby altered, rearranged and extended so as to include, (in addition to the lands already embraced in the said city limits), the following described lands not heretofore embraced and incorporated within the said City limits under Act No. 248 of the Alabama Legislature, Regular Session, 1957:

Commencing at the Northwest Corner of Linwood Estates, according to map of said Linwood Estates as recorded in Map Book No. 1, at Page 34, in the office of the Judge of Probate, Marengo County, Alabama, thence N 65 degrees-45' West for a distance of 47 feet to the Southeast Corner of the Wynne property, thence North 6 degrees-30' West along fence for a distance of 791 feet to the North boundary of Road, thence N 85 degrees-30' East to West line of Section 29, Township 16 North, Range 3 East, thence South along said Section line to the Southeast corner of Section 29, Township 16 North, Range 3 East, to the present boundary of the corporate limits of the City of Linden, Alabama. Also commencing at the Northwest Corner of Linwood Estates, according to map of said Linwood Estates as recorded in Map Book No. 1, at page 34, in the office of the Judge of Probate, Marengo County, Alabama, thence South 0 degrees-40' East to the South line of Section 29, Township 16 North, Range 3 East, to the present boundary of the corporate limits of the City of Linden, Alabama, which descriptions embrace the following: The SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 29, Township 16 North, Range 3 East, and a part of the SW $\frac{1}{4}$ of SE $\frac{1}{4}$, a part of the NW $\frac{1}{4}$ of SE $\frac{1}{4}$, and a part of the NE $\frac{1}{4}$ of SE $\frac{1}{4}$, all in Section 29, Township 16 North, Range 3 East, in Marengo County, Alabama.

Section 2. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

THE STATE OF ALABAMA
MARENGO COUNTY

Before me, the undersigned authority, in and for said State and County,

personally appeared R. E. SUTTON, who is known to me, and who, being by me first duly sworn, deposes and says:

That he is the publisher of The Democrat-Reporter, a newspaper published at Linden, in Marengo County, Alabama, and that the said Democrat-Reporter is printed in said Marengo County, Alabama, and is of general circulation in said County, and has been mailed under a second class mailing privilege at the United States Post Office at Linden, Alabama, regularly each and every week for a period of more than fifty-two (52) consecutive weeks prior to the publication of the Legal Notice, or Advertisement, of intention to apply for local law to rearrange and extend boundary lines of City of Linden, copy of which is hereto attached, and further that said Legal Notice, or Advertisement, was published in the said newspaper, The Democrat-Reporter, for Four consecutive weeks to-wit:—in the issues dated June 29, 1961, July 6, 1961, July 13, 1961, July 20, 1961, and that each of said above issues was duly circulated among the subscribers of said newspaper.

R. E. SUTTON,
Publisher of The Democrat-Reporter.

Sworn to and subscribed before me this 25 day of July, 1961.

JEAN S. PERRY,
Notary Public.

My commission expires 4-23, 1962.

By Mr. Pierce:

H. 1321. AMENDING SECTION 504 of TITLE 51—CODE OF ALABAMA 1940.

Health.

By Mr. Pierce:

H. 1322. TO AMEND SECTIONS 2, 3, and 4 OF ACT NO. 100 (S. 68), REGULAR SESSION OF THE LEGISLATURE OF 1959 APPROVED JUNE 24, 1959; GENERAL ACTS OF 1959, RELATING TO BOARD OF DENTAL EXAMINERS OF ALABAMA, ELECTION, QUALIFICATION, TERM, VACANCY, REMOVAL FROM OFFICE: OFFICERS, SEAL, MEETINGS, QUORUM, COMPENSATION AND EXPENSES, FEES; BONDS, ANNUAL REPORTS, NATIONAL AFFILIATION.

Health.

By Mr. Goldthwaite:

H. 1323. To divide the state into eight congressional districts; amending Code of Alabama 1940, Title 17, Section 425.

Judiciary.

By Messrs. Perry, Edwards, Sessions, Locke, Hawkins, Rast and Morrow:

H. 1324. To regulate further the conduct of elections in all counties having populations of 500,000 or more; amending Code of Alabama 1940, Title 17, Section 110, in relation to the use of paper ballots at certain voting places.

Local Legislation No. 2.

By Messrs. Brewer and Gilchrist:

H. 1325. To establish the maximum rate which newspapers in all counties having populations of not less than 57,000 nor more than 61,000, according to the 1960 or any subsequent federal decennial census, may charge and which an individual, officer, municipality, county, the State, a governmental subdivision, or any other legal entity may pay for the publication of legal notices, advertisements, publications, statements, or other matter required by law or rules or orders of courts to be published in newspapers.

Local Legislation No. 1.

By Messrs. Gilchrist and Brewer (with notice and proof):

H. 1326. Relating to Morgan County; authorizing the governing body of the county to furnish fuel and necessary equipment for the preparation and storing of food for prisoners held in the Morgan County Jail by the Sheriff.

Local Legislation No. 1.

Notice and Proof H. 1326:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MORGAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Morgan County; authorizing the governing body of the county to furnish fuel and necessary equipment for the preparation and storing of food for prisoners held in the Morgan County Jail by the Sheriff.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of Morgan County is hereby authorized to furnish fuel and necessary equipment for the preparation and storing of food for prisoners held in the Morgan County Jail by the Sheriff, the cost thereof to be paid out of the General Fund of the county treasury not otherwise appropriated.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said

State, this day personally appeared Jack W. Hoffhaus, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Hartselle Enquirer, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 29, July 6, July 13, and July 20, all in the year 1961.

JACK W. HOFFHAUS.

Sworn to and subscribed before me Aug. 1, 1961.

ESTELLE J. ODEN,
Title Notary Public.

By Messrs. Gilchrist and Brewer (with notice and proof):

H. 1327. To provide for the feeding and care of certain county prisoners of Morgan County employed or used on the construction, repair, and maintenance of county roads and bridges, or other such road work; to provide hospital and medical care and treatment for any of such prisoners who are injured or become ill while engaged in such road work; to prescribe the powers, duties, and authority of the sheriff and the Board of Revenue and Control or like governing body of Morgan County, Alabama, in carrying out the provisions of this Act.

Local Legislation No. 1.

Notice and Proof H. 1327:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MORGAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To provide for the feeding and care of certain county prisoners of Morgan County employed or used on the construction, repair, and maintenance of county roads and bridges, or other such road work; to provide hospital and medical care and treatment for any of such prisoners who are injured or become ill while engaged in such road work; to prescribe the powers, duties, and authority of the sheriff and the Board of Revenue and Control or like governing body of Morgan County, Alabama, in carrying out the provisions of this Act.

Be It Enacted by the Legislature of Alabama;

Section 1. The sheriff of Morgan County shall prepare or cause to be prepared, a noon lunch or meal for each county prisoner of Morgan County employed or being used in the construction, repair, and maintenance of county roads and bridges, or in other road work, which lunch or meal shall be served and eaten at noon at the place of work in order to prevent having

to transport such prisoners back to the county jail each day for their noon meal. The Board of Revenue and Control or like governing body of Morgan County, Alabama, shall allow to the sheriff a sum not to exceed thirty five (\$.35) cents for each such lunch or meal prepared and served to a county prisoner, upon certification thereof by the sheriff, which amounts shall be paid out of the general funds of the county on warrant drawn in the manner prescribed by law. In any event if the Board of Revenue and Control or like governing body of Morgan County, Alabama, does not desire to have the Sheriff deliver food at the place of work, then it would be the responsibility of the Board of Revenue and Control or like governing body of Morgan County, Alabama, to deliver food to the place of work at noon; the sheriff to receive mileage at the rate of ten (\$.10) cents per mile for delivery of food to place of work.

Section 2. If any prisoner of Morgan County is employed or being used in the construction, repair, and maintenance of county roads and bridges, or other such road work, and is injured or becomes ill for any reason whatsoever while engaged in such work, the Board of Revenue and Control or like governing body of Morgan County, Alabama, upon certification by the sheriff of the fact of such injury or illness, shall provide such prisoner with adequate and necessary hospital and medical care and treatment. The cost of such hospital or medical care and treatment shall be paid out of the general funds of the county on warrant drawn in the manner prescribed by law.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack W. Hoffhaus, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Hartselle Enquirer, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 29, July 6, July 13, and July 20, all in the year 1961.

JACK W. HOFFHAUS.

Sworn to and subscribed before me Aug. 1, 1961.

ESTELLE J. ODEN,
Title Notary Public.

By Messrs. Gilchrist and Brewer (with notice and proof):

H. 1328. To amend Section 2 of Act No. 280, H. 739, approved October 9, 1959, entitled "An Act to authorize and provide for the establishment,

maintenance, operation and financing of a public law library in Morgan County, Alabama" (Acts of Alabama 1959, vol. 1, p. 842).

Local Legislation No. 1.

Notice and Proof H. 1328:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MORGAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 2 of Act No. 280, H. 739, approved October 9, 1959, entitled "An Act to authorize and provide for the establishment, maintenance, operation and financing of a public law library in Morgan County, Alabama" (Acts of Alabama 1959, vol. 1, p. 842).

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of Act No. 280, H. 739, approved October 9, 1959, entitled "An Act to authorize and provide for the establishment, maintenance, operation and financing of a public law library in Morgan County, Alabama" (Acts of Alabama 1959, vol. 1, p. 842), is hereby amended to read as follows:

"Section 2. To provide revenue for the establishment, maintenance, operation and financing of said library there shall be taxed as costs the sum of \$1.00 in each civil or quasi civil action at law, suits in equity, criminal case, quasi criminal proceedings or forfeited bail bond proceedings or proceedings on a forfeited bond given in connection with an appeal from a judgment or conviction in any Justice of the Peace Court or municipal Court to the Morgan County Court of Morgan County, Alabama, or the Circuit Court of Morgan County, Alabama, which costs shall be collected upon such suit or case filed in, arising in or brought by appeal, certiorari or otherwise to the Circuit Court of Morgan County, Alabama, or the Morgan County Court of Morgan County, Alabama, which costs shall be collected as other costs in such cases are collected by the Clerk of said Court or the Register in Chancery thereof, as the case may be, and shall be paid to the treasurer of Morgan County, Alabama, which shall be kept by him in a separate fund designated as 'Morgan County Law Library Fund' and shall be expended by the Morgan County Library Management Committee hereinafter created on warrants of the Chairman of said committee drawn on the treasurer of Morgan County for expenditures as hereinafter provided with said warrants bearing the notation of the funds against which the same are drawn. In all proceedings in Justice of the Peace Courts there shall be taxed as costs the sum of \$.50 to be collected as are other costs and paid to the treasurer of Morgan County, Alabama, to be placed in the 'Morgan County Law Library Fund' and expended in the manner as hereinabove prescribed for other moneys placed in such fund."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack W. Hoffhaus, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Hartselle Enquirer, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 6, July 13, July 20, and July 27, all in the year 1961.

JACK W. HOFFHAUS.

Sworn to and subscribed before me Aug. 1, 1961.

ESTELLE J. ODEN,
Title Notary Public.

By Messrs. Gilchrist and Brewer (with notice and proof):

H. 1329. For the relief of Mrs. Ruby McNutt as compensation for the death of her husband, Elbert McNutt, deceased, of Morgan County, Alabama, as the result of injury received while he was in the line of and performing his duties as road employee of Morgan County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 1329:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MORGAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

For the relief of Mrs. Ruby McNutt as compensation for the death of her husband, Elbert McNutt, deceased, of Morgan County, Alabama, as the result of injury received while he was in the line of and performing his duties as road employee of Morgan County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the Board of Revenue and Control or like governing

body of Morgan County, Alabama be, and it is hereby authorized to pay Mrs. Ruby McNutt the sum of Two Thousand (\$2,000.00) Dollars as compensation to her for the death of her husband, Elbert McNutt, which occurred on March 17, 1960 as the result of injury received by him while working as an employee of said County, and while in the line of and performing his duties as an employee of the Road Department of Morgan County, Alabama, said injury and death occurring under such circumstances that said widow has no recourse at law to recover damages or compensation for his death.

Section 2. That the Board of Revenue and Control or like governing body of Morgan County, Alabama be, and it is hereby empowered and authorized to pay such compensation to Mrs. Ruby McNutt out of the general fund of Morgan County, Alabama.

Section 3. That this act shall take effect immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack W. Hoffhaus, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Hartselle Enquirer, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 29, July 6, July 13, and July 20, all in the year 1961.

JACK W. HOFFHAUS.

Sworn to and subscribed before me Aug. 1, 1961.

ESTELLE J. ODEN,
Title Notary Public.

By Messrs. Gilchrist and Brewer (with notice and proof):

H. 1330. To abolish the fine and forfeiture fund in the county treasury of Morgan County; to provide for the payment of all fines and forfeitures collected into the general fund of said county; to provide for the payment of certain claims from the general fund of said county in lieu of the fine and forfeiture fund.

Local Legislation No. 1.

Notice and Proof H. 1330:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MORGAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To abolish the fine and forfeiture fund in the county treasury of Morgan County; to provide for the payment of all fines and forfeitures collected into the general fund of said county; to provide for the payment of certain claims from the general fund of said county in lieu of the fine and forfeiture fund.

Be It Enacted by the Legislature of Alabama:

Section 1. Hereafter, all fines and forfeitures paid in money in Morgan County as prescribed by Section 392 of Title 15, Code of Alabama (1940) shall be covered into the general fund of said county, and the fine and forfeiture fund in the county treasury is hereby abolished. Any balance remaining in said fine and forfeiture fund on the effective date of this enactment shall be transferred to the general fund of the county after all claims registered against the fine and forfeiture fund have been paid in full.

Section 2. The claims of state witnesses, and of the officers of the court in criminal cases, which but for this Act would be payable from the fine and forfeiture fund of Morgan County, shall hereafter be paid from the general fund of said county.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack W. Hoffhaus, who, being by me first duly sworn, deposes and says that during the time herein mentioned he was Publisher of the Hartselle Enquirer, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 6, July 13, July 20, and July 27, all in the year 1961.

JACK W. HOFFHAUS.

Sworn to and subscribed before me Aug. 1, 1961.

ESTELLE J. ODEN,
Title Notary Public.

By Messrs. Gilchrist and Brewer (with notice and proof):

H. 1331. For the relief of W. O. Dixon; authorizing the Board of Revenue and Control or like governing body of Morgan County, Alabama, to make an appropriation out of the General Fund of the county treasury to compensate W. O. Dixon for certain damages.

Local Legislation No. 1.

Notice and Proof H. 1331:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MORGAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

For the relief of W. O. Dixon; authorizing the Board of Revenue and Control or like governing body of Morgan County, Alabama, to make an appropriation out of the General Fund of the county treasury to compensate W. O. Dixon for certain damages.

Be It Enacted by the Legislature of Alabama:

Section 1. The Board of Revenue and Control or like governing body of Morgan County, Alabama, is hereby authorized and empowered to appropriate from the General Fund of the county treasury a sum not to exceed Four Hundred (\$400.00) Dollars for the relief of W. O. Dixon, to compensate him for damages incurred as the result of a motor vehicle accident involving his automobile and a truck owned and operated by Morgan County and being driven by an employee of the county, which accident occurred on Sixth Avenue S.E. in Decatur, Alabama, Morgan County, on April 23, 1960, under such circumstances that the county is morally obligated to pay the damages, but the said W. O. Dixon has no recourse at law to recover same.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack W. Hoffhaus, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Hartselle Enquirer, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the

issues of said paper on June 29, July 6, July 13, and July 20, all in the year 1961.

JACK W. HOFFHAUS.

Sworn to and subscribed before me Aug. 1, 1961.

ESTELLE J. ODEN,
Title Notary Public.

By Messrs. Jenkins, Shumate, Harris, Guthrie and Hankins:

H. 1332. To Amend Title 52, Section 509 (6) Of The Code of Alabama of 1940.

Ways and Means.

By Messrs. Jenkins, Shumate, Harris, Guthrie and Hankins:

H. 1333. To Amend Title 52, Section 509 (13) Of The Code of Alabama of 1940.

Ways and Means.

By Messrs. Johnson (J. T. Tom) and Vickers:

H. 1334. Relating to vocational trade schools; authorizing, directing and requiring the state board of education to provide for the construction, maintenance and operation of an additional trade school to be located at Dadeville in Tallapoosa County; making appropriations for the construction, equipment, maintenance and operation of such school.

Ways and Means.

By Mr. Hankins:

H. 1335. To propose a constitutional amendment relative to levying additional taxes in Lamar County for public school purposes.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Mr. Smith (St. Clair):

H. 1336. Relating to consolidation of certain schools in counties having populations of not less than 24,800 nor more than 25,400; providing for and requiring referendums on such questions.

Local Legislation No. 1.

By Messrs. Copeland and Hanby:

H. 1337. To provide for an additional judge of the Sixteenth Judicial Circuit of Alabama.

State Administration.

By Messrs. Copeland and Hanby:

H. 1338. To provide for the appointment of bailiffs for the circuit

courts of all counties having populations of not less than 96,000 nor more than 116,000, and regulate their compensation.

Local Legislation No. 1.

By Mr. Turner (with notice and proof):

H. 1339. To alter and re-arrange the boundaries and corporate limits of the City of Athens, Limestone County, so as to annex certain territory.

Local Legislation No. 1.

Notice and Proof H. 1339:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF LIMESTONE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter and re-arrange the boundaries and corporate limits of the City of Athens, Limestone County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the City of Athens, Limestone County, are hereby altered and rearranged so that the territory lying within the boundaries herein described shall be embraced within the corporate limits of such city, to-wit:

All that part of the Southeast quarter of Section 6, Township 3 South, Range 4 West which lies South of the Buck Island Road, North of the Jacob's Road and West of and adjacent to the present city limits, Athens, Alabama, and further described as beginning at the Southwest corner of the SE $\frac{1}{4}$ of said Section 6 and run thence Northerly along the West Boundary of the SE $\frac{1}{4}$ of said Section 6 to the North right of way line of the Buck Island Road and the present city limits boundary; thence southeasterly along the North right of way line of said road a distance of 2036 feet, more or less; to a point on the West boundary of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 6; thence Southerly along the West boundary of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 6 to a point on the South boundary of said Section 6; thence Westerly along the South boundary of said Section 6 to the point of beginning.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Steele McGrew, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Limestone Democrat, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 11, July 18, July 25, and Aug. 1, all in the year 1961.

STEELE MCGREW.

Sworn to and subscribed before me Aug. 1, 1961.

LOLA L. ORR,
Title Notary Public.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. McCorquodale and Dunn:

H. J. R. 81. WHEREAS, death came on Wednesday, August 2, to John Flagg Gillis in the ninety-fifth year of his life; and

WHEREAS, Mr. Gillis was a leader in his church for many years serving as steward, circuit lay reader and Sunday School teacher; and,

WHEREAS he served his community, his county and his state in many capacities for more than three quarters of a century, having been principal of the Grove Hill Academy, a justice of the peace, register in chancery, county superintendent of education, clerk in the House of Representatives and a Representative to the Legislature from his county for several terms; and

WHEREAS, Mr. Gillis' many accomplishments coupled with his fine christian character endeared him to the heart of all who knew him, now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That the Legislature of Alabama deeply mourns the death of Mr. John Flagg Gillis and hereby extends sincere sympathy to his family.

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded by the Clerk of the House to the surviving members of Mr. Gillis' family.

On motion of Mr. McCorquodale the rules were suspended and H. J. R. 81 was adopted.

Also:

By Mr. Faulk:

H. J. R. 82. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the bridge which crosses the Pea River in Geneva County, and is on Alabama Highway No. 52, is hereby designated and shall be known as "The Lester Kersey Bridge."

BE IT FURTHER RESOLVED that the State Highway Department be directed to erect at or attach to the bridge appropriate plaques or markers showing its designation as "The Lester Kersey Bridge."

On motion of Mr. Faulk the rules were suspended and H. J. R. 82 was adopted.

REQUEST IN WRITING

Mr. Gilchrist offered the following Request in Writing:

TO THE WAYS AND MEANS COMMITTEE OF THE HOUSE OF REPRESENTATIVES:

We, the undersigned House members, do respectfully urge the Ways and Means Committee to report favorably to the House on the next Legislative Day all bills providing revenue for educational purposes now pending in said committee in order that the House may come to grips with the urgent educational financial crisis presently existing in the state.

Respectfully submitted,

- | | |
|--------------------------|--------------------------|
| 1. Gilchrist | 29. Johnson (Hardaway) |
| 2. Brewer | 30. Jenkins |
| 3. Roberts | 31. Hearn |
| 4. Oden | 32. Meade |
| 5. Speaks | 33. Avery |
| 6. Harris | 34. Harvey |
| 7. Guthrie | 35. Copeland |
| 8. Cabiness | 36. Self |
| 9. Broadfoot | 37. Ray |
| 10. Adams | 38. Ferguson |
| 11. Sullivan | 39. Callahan |
| 12. Long (Perry) | 40. Smith (St. Clair) |
| 13. Johnson (J. T. Thom) | 41. Shumate |
| 14. Britton | 42. Branyon |
| 15. Grouby | 43. Dodd |
| 16. Johnston (Leonard) | 44. Gordon |
| 17. McCorquodale | 45. Edwards |
| 18. Dunn | 46. Hawkins |
| 19. Daniel | 47. Morrow |
| 20. Hankins | 48. Bevil |
| 21. Bishop | 49. Gross |
| 22. Ramey | 50. Reynolds (Chambers) |
| 23. Lee | 51. McClendon (Chambers) |
| 24. Rast | 52. Turnham |
| 25. Cates | 53. Jones (Covington) |
| 26. Barnett | 54. Trimmier |
| 27. Long (Lauderdale) | 55. Phillips |
| 28. Reynolds (Madison) | 56. Dickson |

57. Brooks
 58. Bassett
 59. McLendon (Bullock)
 60. Powell
 61. Rozelle
 62. Rogers
 63. Brannan

64. Glass
 65. Salter
 66. Locke
 67. Steagall
 68. Hanby
 69. Grant

REQUEST IN WRITING

Read and filed.

The motion of Mr. Branyon that the House adjourn until Tuesday, August 8, 1961, at twelve o'clock, noon, was lost.

Yeas 26; Nays 60.

Yeas:

Messrs.
 Adams
 Branyon
 Brewer
 Broadfoot
 Cook
 Dodd

Edwards
 Faulk
 Gilchrist
 Hain
 Hanks
 Harris
 Hawkins

Jenkins
 Johnson (J. T. Tom)
 Locke
 McLendon (Chambers)
 Martin
 Morrow
 Murphy

Perry
 Ramey
 Rast
 Rogers
 Sessions
 Turner

—26

Nays:

Mr. Speaker
 Albea
 Bailey
 Barnett
 Bassett
 Bevell
 Boyd
 Brooks
 Cabiness
 Callahan
 Camp
 Casey
 Chambers
 Copeland
 Cornett

Daniel
 Dickson
 Dunn
 Ferguson
 Franklin
 Gilmer
 Glass
 Goodwyn
 Gordon
 Grant
 Gross
 Grouby
 Hanby
 Hardy
 Harvey

Hearn
 Ingram
 Jones (Covington)
 Lee
 Long (Perry)
 McLendon (Bullock)
 Merrill
 Nettles
 Nichols
 Oakley
 Oden
 Owens
 Phillips
 Pierce
 Powell

Pruitt
 Ray
 Reynolds (Madison)
 Rozelle
 Self
 Smith (Russell)
 Smith (St. Clair)
 Solomon
 Speaks
 Steagall
 Sullivan
 Taylor
 Thomas
 Torbert
 Turnham

—60

MOTION TO RECESS LOST

The motion of Mr. Grouby that the House recess until 3:00 o'clock this afternoon was lost.

Yeas 41; Nays 50.

Yeas:

Messrs.
 Albea

Avery
 Bevell

Broadfoot
 Callahan

Camp
 Casey

Chambers	Grant	McCorquodale	Powell
Copeland	Grouby	McLendon (Bullock)	Ray
Cornett	Hain	Martin	Shumate
Daniel	Hardy	Merrill	Solomon
Dunn	Hearn	Nettles	Speaks
Ferguson	Ingram	Nichols	Steagall
Franklin	Johnston (Leonard)	Oakley	Thomas
Gilchrist	Jones (Covington)	Oden	Turnham
Gilmer	Lee		

—41

Nays:

Mr. Speaker	Cook	Jenkins	Rast
Adams	Dickson	Johnson (J. T. Tom)	Rogers
Bailey	Dodd	Locke	Rozelle
Barnett	Edwards	McClendon (Chambers)	Self
Bassett	Faulk	Morrow	Sessions
Bishop	Glass	Murphy	Smith (Russell)
Boyd	Goodwyn	Owens	Smith (St. Clair)
Branyon	Gordon	Perry	Sullivan
Brewer	Gross	Phillips	Taylor
Britton	Hankins	Pierce	Torbert
Brooks	Harris	Pruitt	Turner
Cabiness	Harvey	Ramey	Vickers
Cates	Hawkins		

—50

RECESS

Mr. Smith (Russell) moved that the House recess until 3:00 o'clock this afternoon.

The substitute motion of Mr. Locke that the House adjourn until Tuesday, August 8, 1961, at twelve o'clock, noon, was lost.

Yeas 15; Nays 72.

Yeas:

Messrs.	Cornett	Locke	Ramey
Branyon	Dodd	Long (Perry)	Rast
Callahan	Edwards	Morrow	Rogers
Cook	Hawkins	Perry	Sessions

—15

Nays:

Mr. Speaker	Britton	Dunn	Hain
Albea	Broadfoot	Ferguson	Hanby
Avery	Brooks	Franklin	Hankins
Bailey	Cabiness	Gilchrist	Hardy
Barnett	Camp	Gilmer	Harris
Bassett	Casey	Glass	Hearn
Bevill	Chambers	Grant	Ingram
Bishop	Copeland	Gross	Jenkins
Boyd	Daniel	Grouby	Johnson (J. T. Tom)
Brewer	Dickson	Guthrie	Johnston (Leonard)

Jones (Covington)	Nettles	Fruitt	Solomon
Lee	Nichols	Ray	Speaks
McClendon (Chambers)	Oakley	Reynolds (Madison)	Steagall
McCorquodale	Oden	Rozelle	Sullivan
McLendon (Bullock)	Owens	Self	Taylor
Martin	Phillips	Shumate	Thomas
Meade	Pierce	Smith (Russell)	Turnham
Merrill	Powell	Smith (St. Clair)	Vickers

—72

And the substitute motion of Mr. Brewer that the House recess until 2:00 o'clock this afternoon was lost.

Yeas 35; Nays 46.

Yeas:

Mr. Speaker	Cates	Hearn	Rozelle
Adams	Cook	Johnson (J. T. Tom)	Self
Barnett	Dodd	Long (Perry)	Shumate
Bevill	Edwards	Morrow	Solomon
Bishop	Gilchrist	Nichols	Speaks
Branyon	Glass	Oden	Steagall
Brewer	Gross	Powell	Sullivan
Cabiness	Harris	Reynolds (Madison)	Vickers
Callahan	Hawkins	Rogers	

—35

Nays:

Messrs.	Daniel	Johnston (Leonard)	Perry
Albea	Dickson	Jones (Covington)	Phillips
Avery	Dunn	Jones (Monroe)	Pierce
Bailey	Franklin	Lee	Ramey
Bassett	Gilmer	Locke	Ray
Boyd	Grant	Long (Lauderdale)	Sessions
Britton	Grouby	McCorquodale	Smith (Russell)
Brooks	Guthrie	Meade	Smith (St. Clair)
Camp	Hain	Merrill	Taylor
Casey	Hanby	Nettles	Thomas
Copeland	Hardy	Oakley	Turnham
Cornett	Jenkins	Owens	

—46

The question was then on the motion of Mr. Smith (Russell) that the House recess until 3:00 o'clock this afternoon, and the motion was adopted.

Yeas 72; Nays 19.

Yeas:

Mr. Speaker	Boyd	Copeland	Gilchrist
Albea	Branyon	Cornett	Gilmer
Avery	Britton	Daniel	Glass
Bailey	Broadfoot	Dickson	Gordon
Barnett	Brooks	Dunn	Grant
Bassett	Cabiness	Faulk	Gross
Bevill	Camp	Ferguson	Grouby
Bishop	Casey	Franklin	Guthrie

Hain	Jones (Monroe)	Oakley	Self
Hanby	Lee	Oden	Smith (Russell)
Hankins	McClendon (Chambers)	Owens	Smith (St. Clair)
Hardy	McCorquodale	Phillips	Speaks
Harris	McLendon (Bullock)	Pierce	Steagall
Hearn	Martin	Powell	Sullivan
Ingram	Meade	Pruitt	Taylor
Johnson (J. T. Tom)	Merrill	Ramey	Thomas
Johnston (Leonard)	Nettles	Ray	Turnham
Jones (Covington)	Nichols	Rozelle	Vickers

—72

Nays :

Messrs.	Cook	Locke	Perry
Adams	Dodd	Long (Lauderdale)	Rast
Brewer	Edwards	Long (Perry)	Rogers
Callahan	Hawkins	Morrow	Sessions
Cates	Jenkins	Murphy	Torbert

—19

AFTERNOON SESSION

The hour of 3:00 o'clock P.M. having arrived, the House reconvened.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 607. To amend further Section 240 of Title 13, Code of Alabama 1940 which relates to transportation expenses, offices and supplies of circuit and deputy solicitors.

Also:

H. 988. To provide for branch banking in Cherokee County.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Wyatt:

S. 553. Relating to consolidation of certain schools in counties having populations of not less than 24,800 nor more than 25,400; providing for and requiring referendums on such questions.

Also:

By Mr. Haltom:

S. 530. Relating to every judicial circuit composed of only one county

having two circuit judges and a population of not less than sixty thousand five hundred (60,500) and not more than sixty five thousand (65,000) inhabitants according to the last or any subsequent federal decennial census; abolishing all statutory law and equity courts now constituted in the counties composing such judicial circuits; providing for the transfer of cases now pending in said statutory law and equity courts to the courts created by this Act and to the circuit courts of such judicial circuits; abolishing the criminal jurisdiction of justice of the peace courts in every county composing such judicial circuits and further providing for the transfer of criminal cases pending in such justice of the peace courts to the courts created by this Act; creating and establishing in the counties composing such judicial circuits a court to be known as the "(Name of county) County Inferior Court", defining its criminal and civil jurisdiction, providing it with officers, defining their powers, duties, compensation, term of office, and manner of their selection; regulating its procedures and process; prescribing costs and fees therein; empowering and directing the county governing bodies of all counties composing such judicial circuits to pay the compensation of the officers of the courts hereby created out of the general fund of the county treasury and to furnish quarters, books, forms, stationery, equipment and supplies requisite to the efficient functioning of such courts.

Also:

By Mr. Haltom:

S. 532. To provide further for the supplemental compensation of any circuit judge (who has served continuously for more than twelve years as circuit judge) in any judicial circuit composed of only one county having two circuit judges and a population of not less than sixty thousand five hundred nor more than sixty five thousand inhabitants according to the last or any subsequent federal decennial census; providing for the payment of such supplemental compensation out of the general fund of the county composing such judicial circuit.

Also:

By Mr. Haltom:

S. 521. Relating to the Eleventh Judicial Circuit: Authorizing the circuit solicitor to appoint a stenographic secretary, and providing for the payment of such secretary's compensation from the general fund of the county constituting such circuit.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF LAUDERDALE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to the Eleventh Judicial Circuit: Authorizing the circuit

solicitor to appoint a stenographic secretary, and providing for the payment of such secretary's compensation from the general fund of the county constituting such circuit.

Be It Enacted by the Legislature of Alabama:

Section 1. The circuit solicitor of the Eleventh Judicial Circuit may appoint a stenographic secretary who shall serve at the pleasure of the solicitor and shall perform such duties as he may direct. The compensation of such secretary shall be fixed by the solicitor at the sum of not exceeding two hundred dollars (\$200.00) per month. Said compensation shall be paid in monthly installments out of the general fund of the treasury of the county constituting such circuit at the end of each month, or semi-monthly at the election of said secretary, such payment to be made on certificate issued by the presiding judge of the circuit in favor of such secretary for the respective amounts due each month.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LAUDERDALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Beulah C. Sutton, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Secretary of the Florence Herald, a newspaper of general circulation published in Lauderdale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 4, May 11, May 18, and May 25, all in the year 1961.

BEULAH C. SUTTON.

Sworn to and subscribed before me July 25, 1961.

H. S. MAY,
Title Notary Public.
My Commission Expires August 31, 1964.

Also:

By Mr. Haltom:

S. 531. Relating to every judicial circuit composed of only one county having two circuit judges and a population of not less than sixty thousand five hundred and not more than sixty five thousand inhabitants according to the last or any subsequent federal decennial census; extending the powers, authority and duties of the circuit solicitor of any such judicial circuit so as to empower, authorize and require that such circuit solicitor supervise the prosecution of all misdemeanors to be tried and all felonies to be heard on preliminary in any and all inferior courts located and constituted in the county composing any such judicial circuit; creating the office of deputy circuit solicitor for any such judicial circuit and prescribing the duties of such office; providing for the mode and manner of the appointment of such

deputy circuit solicitor and for his compensation, and further providing that such compensation shall be paid out of the general fund of the county composing any such judicial circuit.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 553. Local Legislation No. 1

S. 530. Local Legislation No. 1

S. 532. Local Legislation No. 1

S. 521. Local Legislation No. 1

S. 531. Local Legislation No. 1

MOTION TO SUSPEND RULES

Mr. Smith (Russell) moved to suspend the rules in order to allow the Standing Committee on Ways and Means to report.

MOTION TO ADJOURN LOST

The motion of Mr. Guthrie that the House adjourn until Tuesday, August 8, 1961, at twelve o'clock, noon, was lost.

Yeas 21; Nays 74.

Yeas:

Messrs.
Adams
Barnett
Brewer
Callahan
Dodd

Edwards
Goldthwaite
Guthrie
Hawkins
Johnson (J. T. Tom)
Jones (Montroe)

Locke
Long (Perry)
Morrow
Murphy
Perry

Rast
Reynolds (Madison)
Roberts
Sessions
Shumate

—21

Nays:

Mr. Speaker
Albea
Avery
Bailey
Bassett
Bevill
Bishop
Boyd
Branyon
Britton
Broadfoot
Brooks

Cabiness
Camp
Casey
Cates
Chambers
Cook
Copeland
Cornett
Daniel
Dickson
Dunn
Ferguson

Franklin
Gilchrist
Gilmer
Glass
Goodwyn
Gordon
Grant
Gross
Grouby
Hain
Hanby
Hankins

Hardy
Harris
Harvey
Hearn
Ingram
Jenkins
Jones (Covington)
Lee
McClendon (Chambers)
McCorquodale
McLendon (Bullock)
Martin

Meade	Phillips	Salter	Sullivan
Merrill	Powell	Self	Taylor
Nettles	Pruitt	Smith (Russell)	Thomas
Nichols	Ramey	Solomon	Torbert
Oakley	Ray	Speaks	Turnham
Oden	Reynolds (Chambers)	Steagall	Vickers
Owens	Rozelle		

—74

MOTION TO SUSPEND RULES

The question was on the motion of Mr. Smith (Russell) to suspend the rules in order to allow the Standing Committee on Ways and Means to report.

MOTION TO RECESS LOST

The motion of Mr. Reynolds (Chambers) that the House recess for three minutes was lost.

Yeas 43; Nays 48.

Yeas:

Mr. Speaker	Dunn	Johnson (J. T. Tom)	Ray
Adams	Ferguson	Johnston (Leonard)	Reynolds (Chambers)
Bailey	Franklin	Jones (Covington)	Roberts
Bassett	Goldthwaite	Jones (Monroe)	Rozelle
Boyd	Goodwyn	McClendon (Chambers)	Shumate
Britton	Grant	McCorquodale	Smith (St. Clair)
Brooks	Grouby	Nettles	Sullivan
Cabiness	Guthrie	Nichols	Torbert
Daniel	Hankins	Oakley	Turnham
Dickson	Harris	Pierce	Vickers
Dodd	Jenkins	Ramey	

—43

Nays:

Messrs.	Cornett	Hearn	Perry
Albea	Edwards	Lee	Phillips
Avery	Faulk	Locke	Powell
Barnett	Gilchrist	Long (Lauderdale)	Rast
Bevill	Gilmer	Long (Perry)	Salter
Bishop	Glass	McLendon (Bullock)	Self
Branyon	Gordon	Meade	Sessions
Brewer	Hain	Merrill	Solomon
Broadfoot	Hanby	Morrow	Speaks
Callahan	Hardy	Murphy	Steagall
Chambers	Harvey	Oden	Taylor
Cook	Hawkins	Owens	Thomas
Copeland			

—48

MOTION TO SUSPEND RULES LOST

The motion of Mr. Smith (Russell) to suspend the rules in order to allow the Standing Committee on Ways and Means to report was lost.

Yeas 57; Nays 35.

Yeas:

Mr. Speaker	Dickson	Harvey	Powell
Albea	Dodd	Hearn	Ramey
Avery	Dunn	Johnston (Leonard)	Reynolds (Madison)
Barnett	Ferguson	Jones (Covington)	Roberts
Bevill	Franklin	Jones (Monroe)	Rozelle
Bishop	Gilchrist	Long (Lauderdale)	Salter
Branyon	Glass	Long (Perry)	Self
Brewer	Goodwyn	McLendon (Bullock)	Shumate
Britton	Gordon	Martin	Smith (St. Clair)
Broadfoot	Gross	Meade	Speaks
Cabiness	Grouby	Nichols	Steagall
Callahan	Hanby	Oden	Taylor
Camp	Hankins	Owens	Turnham
Cates	Harris	Phillips	Vickers
Copeland			

—57

Nays:

Messrs.	Edwards	Lee	Perry
Adams	Gilmer	Locke	Pierce
Bailey	Goldthwaite	McClendon (Chambers)	Rast
Bassett	Grant	McCorquodale	Ray
Brooks	Guthrie	Merrill	Reynolds (Chambers)
Chambers	Hain	Morrow	Sessions
Cook	Hardy	Murphy	Solomon
Cornett	Hawkins	Nettles	Sullivan
Daniel	Jenkins	Oakley	Thomas

—35

MOTION TO ADJOURN LOST

The motion of Mr. Perry that the House adjourn until Tuesday, August 8, 1961, at twelve o'clock, noon, was lost.

Yeas 35; Nays 61.

Yeas:

Mr. Speaker	Edwards	Johnson (J. T. Tom)	Perry
Adams	Faulk	Jones (Covington)	Pierce
Branyon	Franklin	Locke	Rast
Brewer	Gilchrist	Long (Perry)	Reynolds (Madison)
Britton	Goldthwaite	McClendon (Chambers)	Roberts
Callahan	Guthrie	Martin	Sessions
Cates	Harvey	Morrow	Torbert
Cornett	Hawkins	Murphy	Vickers
Dodd	Jenkins	Owens	

—35

Nays:

Messrs.	Barnett	Boyd	Camp
Albea	Bassett	Broadfoot	Casey
Avery	Bevill	Brooks	Cook
Bailey	Bishop	Cabiness	Copeland

Daniel	Hankins	Nettles	Self
Dickson	Hardy	Nichols	Smith (Russell)
Dunn	Harris	Oakley	Smith (St. Clair)
Ferguson	Hearn	Phillips	Solomon
Gilmer	Ingram	Powell	Speaks
Glass	Johnston (Leonard)	Pruitt	Steagall
Gordon	Jones (Monroe)	Ramey	Sullivan
Grant	Long (Lauderdale)	Ray	Taylor
Gross	McCorquodale	Reynolds (Chambers)	Thomas
Grouby	McLendon (Bullock)	Rozelle	Turner
Hain	Meade	Salter	Turnham
Hanby	Merrill		

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Reynolds (Madison) to suspend the rules in order to allow the Standing Committee on Local Government to report was adopted.

REPORT OF STANDING COMMITTEE ON LOCAL GOVERNMENT

Mr. Grouby, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1305. To authorize the incorporation in any municipality in this state of one or more public corporations for the primary purpose of providing public library facilities for lease to the respective municipalities in which such corporations are organized; to provide for the election of the directors and officers of each such corporation; to specify its powers and capacities, including the exercise of the power of eminent domain; to authorize such corporation and the municipality in which it is organized to enter into leases covering projects of such corporation and to specify requirements respecting such leases; to provide that the rentals payable and the obligations created by such municipality in any such lease shall be general obligations of the municipality for which its full faith and credit may be pledged but shall be payable solely out of the current revenues of the municipality for the fiscal year during which such rents are payable and during which such agreements are required to be performed; to authorize the sale and issuance by such corporation of interest bearing revenue bonds payable solely out of the revenues from the project with respect to which they are issued; to specify provisions of said bonds and to declare them to be negotiable instruments; to authorize the issuance of refunding revenue bonds; to provide that such bonds shall be secured by a pledge of the revenues out of which they shall be payable and by a pledge of the lease from which the revenues so pledged shall be derived, and may be secured by a nonforeclosable mortgage on the project from which the revenues so pledged shall be derived; to specify the use to which the proceeds of said bonds may be put; to provide for remedies in the event of any default in any such bonds or under any such lease; to authorize the investment of funds of the corporation not presently needed; to exempt from taxation the properties of the corporation and the income therefrom, the said leases, the said bonds and the income therefrom, and the said mortgages; to provide that said bonds shall be legal investments for fiduciaries, savings banks and insurance companies; to authorize the investment of idle and surplus funds of the municipality in said bonds; to

authorize the publication of notice of the adoption of the resolution authorizing said bonds and providing a short statute of limitations for the institution of actions and the making of defenses respecting the validity of said bonds, pledge, mortgage and lease; to authorize the conveyance to said corporation, with or without monetary consideration, of properties owned by the municipality whether or not necessary for the conduct of governmental or other public functions of the municipality; to provide for the vesting in the municipality of title to each project of said corporation upon payment of all bonds issued with respect to such project; and to provide for the dissolution of said corporation.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Bassett to suspend the rules in order to allow the Standing Committee on Local Legislation No. 1 to report was adopted.

REPORT OF STANDING COMMITTEE ON LOCAL LEGISLATION NO. 1

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 411. To amend Act No. 132, H. 138, Second Special Session 1959, an act providing for a law and equity court of Crenshaw County (Acts of Alabama 1959, vol. I, p. 382).

S. 412. To regulate further the compensation and allowances of election officers in Crenshaw County.

S. 413. To provide for the election of members of the county board of education of Crenshaw County.

S. 414. To provide clerical assistants for sheriffs of all counties having populations of not less than 14,900 nor more than 15,200, according to the 1960 or any subsequent federal decennial census; prescribing the duties of such clerks and providing for the payment of their compensation.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 80. Designating a portion of Alabama Highway No. 65 as "The John S. O'Neal Highway."

J. E. SPEIGHT,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 80. Relative to naming a portion of Alabama Highway No. 65 in Jackson County "The John S. O'Neal Highway".

And finds same correctly enrolled.

VIRGIS M. ASHWORTH,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 81. Relative to the death of Mr. John Flagg Gillis.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 82. Naming a bridge on Alabama Highway No. 52 "The Lester Kersey Bridge."

J. E. SPEIGHT,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills and House Joint Resolutions, to-wit:

H. 607. To amend further Section 240 of Title 13, Code of Alabama 1940 which relates to transportation expenses, offices, and supplies of circuit and deputy solicitors.

Also:

H. 988. To provide for branch banking in Cherokee County.

Also:

H. J. R. 81. Relative to the death of John Flagg Gillis.

Also:

H. J. R. 82. Relative to naming the bridge that crosses the Pea River in Geneva County "The Lester Kersey Bridge."

And finds same correctly enrolled.

VIRGIS M. ASHWORTH,
Chairman.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills and House Joint Resolutions, the titles to which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning House Bill No. 151, with suggested Executive Amendment.

Respectfully submitted
JOSEPH G. ROBERTSON
Executive Secretary

August 4, 1961

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which it originated, House Bill No. 151, with the following suggested Executive Amendment:

In Section 9 of the bill, strike out the words

"The director of the department, upon issuing a license for the operation of motor vehicles as herein provided, shall make a duplicate of the tax receipt and keep same on file in his office."

and insert in lieu thereof the following words:

"The director of the department, upon issuing a license for the operation of motor vehicles as herein provided, shall make the tax receipt in

triplicate, keeping one copy on file in his office, forwarding a legible triplicate copy to the Department of Revenue on the day the license was issued."

This bill fails to provide for a triplicate copy to be sent to the Department of Revenue. For law enforcement purposes it is essential that a central file be kept on the registration of all automobile licenses at one point in the State.

The adoption of the above suggested amendment will remove my objection to the bill.

Respectfully,
JOHN PATTERSON,
Governor of Alabama

August 4, 1961

GOVERNOR'S MESSAGE

The House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, H. 151, said Governor's amendment being set out in the above and foregoing Message from the Governor.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Chambers	Guthrie	Pierce
Adams	Copeland	Hain	Powell
Albea	Cornett	Hanby	Pruitt
Avery	Daniel	Hankins	Rast
Bailey	Dickson	Hardy	Ray
Barnett	Dodd	Harvey	Reynolds (Madison)
Bassett	Dunn	Ingram	Roberts
Bevill	Edwards	Johnston (Leonard)	Rozelle
Bishop	Faulk	Locke	Salter
Branyon	Ferguson	Long (Lauderdale)	Self
Brewer	Franklin	McCorquodale	Sessions
Britton	Gilchrist	McLendon (Bullock)	Smith (Russell)
Broadfoot	Gilmer	Merrill	Smith (St. Clair)
Brooks	Glass	Murphy	Speaks
Cabiness	Gordon	Nettles	Sullivan
Callahan	Grant	Oakley	Taylor
Camp	Gross	Phillips	Turnham
Casey	Grouby		

—70

Which was a majority of the whole number elected to the House.

And said bill:

H. 151. Relating to counties having a population of not less than 115,000 nor more than 165,000 inhabitants, according to the 1960 or any subsequent federal decennial census, electing to come under the provisions of the Act as provided therein; providing a more convenient and efficient method for the registration, assessment for taxes, collection of ad valorem taxes, and sale and distribution of tags for motor vehicles, the issuance of motor vehicle drivers licenses and temporary instruction permits, and transfer of ownership of motor vehicles; creating a motor vehicle license

department in each county to which this Act is made to apply as herein provided and providing for the appointment, qualification, terms, compensation, powers, duties, and authority of the director and deputy director thereof; transferring to the motor vehicle license department, and the director thereof, all the powers, duties, responsibilities, liabilities and authority of the tax assessor, tax collector, and judge of probate relative to the registration, assessment for taxes, collection of ad valorem taxes, sale and distribution of tags for motor vehicles, the issuance of motor vehicle drivers licenses and temporary instruction permits, the transfer of ownership of motor vehicles, and the distribution of the fees, charges and commissions collected and received therefrom; providing an additional and alternative method for the registration, assessment for taxes, collection of ad valorem taxes, and sale and distribution of tags for motor vehicles; providing for clerical assistance, office space, equipment, supplies, and other conveniences necessary for the efficient operation and conduct of the motor vehicle license department; providing for the method by which a county to which this Act applies can elect to come within the provisions of said Act and the effective date thereof; providing the method by which a county may withdraw from the provisions of this Act and the effective date of withdrawal; and the abolishing of all laws and parts of laws in conflict with said Act.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker	Daniel	Hanby	Pruitt
Adams	Dodd	Hankins	Rast
Albea	Dunn	Hardy	Ray
Avery	Edwards	Harvey	Reynolds (Madison)
Bailey	Faulk	Johnston (Leonard)	Roberts
Barnett	Ferguson	Locke	Rozelle
Bassett	Franklin	Long (Perry)	Salter
Bevill	Gilmer	McCorquodale	Self
Bishop	Glass	McLendon (Bullock)	Sessions
Boyd	Goldthwaite	Merrill	Smith (Russell)
Branyon	Goodwyn	Murphy	Smith (St. Clair)
Brewer	Gordon	Nettles	Speaks
Britton	Grant	Oakley	Steagall
Broadfoot	Gross	Oden	Sullivan
Cabiness	Grouby	Phillips	Taylor
Callahan	Guthrie	Pierce	Turnham
Camp	Hain	Powell	

—67

Which was a majority of the whole number elected to the House.

REMARKS OF MR. GLASS

On the request of Mr. Glass the following remarks delivered by him on the floor of the House were inserted in the Journal.

Gentlemen; I want to take a few minutes of our time to review some facts relative to the financial status of public education in our great state.

The Alabama Education Association before the first session of this

legislature requested 60 million dollars increased appropriation for public education.

The Alabama Study Commission composed of members from this house, members of our Senate across the hall, and recognized business and professional leaders studied the financial needs of public education and recommended an increased appropriation in excess of 37 million dollars.

This administration's interim committee on education composed of members of this body and members of the Senate across the hall studied the financial needs of public education in our state from January until our first session in May; this committee recommended a minimum increase of 42 million dollars.

Our governor speaking to us in joint session at our first legislative session of this administration recommended also an increased appropriation of 42 million dollars.

Gentlemen, let us be honest, every study that has been made relative to education has recognized the financial needs of public education in our great state.

It is true we increased the appropriation to public education but our increased appropriation lacked several million dollars of meeting what we, the members of this legislature and our governor recognized as being needed two years ago.

When the revenue measures which we, this legislature enacted last session, failed by some 14 million dollars to meet our appropriation for public education, each member of this legislature can well understand the present financial crisis of our public schools.

Our increased revenue for public education (not our appropriation) failed to provide local Boards' of Education enough revenue to carry out a unanimous resolution passed by this body and the Senate across the hall requesting local Boards' of Education to increase teachers salaries by 15% and to pay school bus drivers a minimum of \$110.00 per month. We have admitted that we are aware of the financial needs of our public schools. We spend less money per child for education than any of the other states of this great nation.

There has been much said and written about increased local support. My people have greatly increased their local support. They have increased county-wide millage by 3 mills and have been paying incidental fees in each school to provide lights, water and other necessary local expense, in order to keep our schools open.

The majority of local Boards' of Education in our great state today are operating with a deficit caused SOLELY because our past and present legislature failed to enact revenue measures which yielded revenue to equal our appropriation to public education.

My local Board of Education failed to receive by \$116,539.00 revenue from this state which it was promised before I became their representative in this legislature.

Last year my local Board of Education failed by \$78,187.00 of receiving revenue we in this legislature appropriated to public education. This year, provided proration does not exceed 9.4% my local Board of Education will fail by \$94,000.00 to receive its share of state revenue appropriated by this legislature. This will make a total of \$172,187.00 which our local Board of Education has failed to receive which was its share of our appropriation to public education since I have been their representative in this legislature.

Local superintendents and boards of education for the past five years have failed to receive revenue which our state legislature has appropriated.

I believe the citizens of this great state are willing to support needed school revenue and are expecting we in this legislature to provide same.

I, for one, am willing to stand up and be counted as not willing to adjourn this legislature without first "GETTING THE REVENUE" that our public schools need.

We have a job to do! Let's get the job done!

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Dickson to suspend the rules in order to take up for immediate consideration the third reading of local bills was adopted.

And the bill:

H. 690. To propose an amendment to the Constitution relating to the levy and collection of special property taxes for educational purposes in Lauderdale County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Chambers	Grouby	Merrill
Adams	Cook	Guthrie	Murphy
Albea	Copeland	Hain	Nettles
Avery	Cornett	Hanby	Phillips
Bailey	Daniel	Hankins	Pierce
Barnett	Dickson	Hardy	Powell
Bassett	Dodd	Harris	Rast
Bevill	Dunn	Harvey	Ray
Bishop	Edwards	Ingram	Roberts
Boyd	Faulk	Johnston (Leonard)	Sessions
Branyon	Ferguson	Jones (Monroe)	Smith (Russell)
Britton	Franklin	Lee	Smith (St. Clair)
Broadfoot	Gilchrist	Locke	Speaks
Brooks	Gilmer	Long (Lauderdale)	Steagall
Cabiness	Glass	Long (Perry)	Taylor
Callahan	Gordon	McCorquodale	Thomas
Casey	Grant	McLendon (Bullock)	Vickers
Cates	Gross	Martin	

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Shumate to suspend the rules in order to introduce a resolution out of order was adopted.

RESOLUTION

The following resolution was introduced:

By Mr. Shumate:

H. J. R. 83. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING:

That when the two houses adjourn today they adjourn to meet again on Friday, August 11th, at 10:00 A.M.

The motion of Mr. Shumate to suspend the rules in order to bring up for immediate consideration the above and foregoing H. J. R. 83 was lost.

Yeas 43; Nays 27.

Yeas:

Mr. Speaker	Glass	McLendon (Bullock)	Roberts
Bevill	Gordon	Meade	Rozelle
Bishop	Grant	Morrow	Self
Brewer	Guthrie	Murphy	Sessions
Broadfoot	Hawkins	Nettles	Shumate
Brooks	Hearn	Oakley	Smith (St. Clair)
Cook	Ingram	Perry	Taylor
Dickson	Jenkins	Phillips	Turner
Dodd	Johnson (J. T. Tom)	Powell	Turnham
Edwards	Locke	Rast	Vickers
Gilchrist	McCorquodale	Reynolds (Madison)	

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Nays:

Messrs.	Casey	Goodwyn	Long (Perry)
Albea	Copeland	Gross	Martin
Avery	Cornett	Harris	Merrill
Barnett	Faulk	Harvey	Nichols
Bassett	Ferguson	Jones (Covington)	Speaks
Cabiness	Franklin	Jones (Monroe)	Steagall
Camp	Gilmer	Lee	Thomas

—27

And said resolution H. J. R. 83 was read and referred to the Standing Committee on Rules.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Adams to suspend the rules in order take up for immediate consideration the third reading of the bills, H. 677 and H. 679, was adopted.

And the bill:

H. 677. To amend Section 186 of Title 13 of The Code of Alabama of 1940 to increase pay of bailiffs.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 66; Nays 0.

Yeas:

Mr. Speaker	Copeland	Harris	Pierce
Adams	Cornett	Harvey	Powell
Albea	Daniel	Hearn	Ramey
Bailey	Dickson	Ingram	Rast
Barnett	Dodd	Johnson (J. T. Tom)	Reynolds (Madison)
Bassett	Edwards	Jones (Covington)	Roberts
Bevill	Faulk	Locke	Rozelle
Bishop	Gilchrist	Long (Lauderdale)	Salter
Boyd	Gilmer	Long (Perry)	Self
Brewer	Glass	McLendon (Bullock)	Sessions
Britton	Grant	Martin	Smith (Russell)
Broadfoot	Gross	Meade	Smith (St. Clair)
Brooks	Grouby	Murphy	Solomon
Cabiness	Guthrie	Nettles	Steagall
Camp	Hain	Oakley	Turnham
Cates	Hanby	Phillips	Vickers
Chambers	Hardy		

—66

And the bill:

H. 679. To make an appropriation for the relief of Dothan Lincoln-Mercury Company, Ltd.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Dickson	Harvey	Perry
Adams	Dodd	Hawkins	Phillips
Albea	Dunn	Hearn	Pierce
Bailey	Edwards	Ingram	Powell
Barnett	Faulk	Johnson (J. T. Tom)	Ramey
Bassett	Ferguson	Johnston (Leonard)	Rast
Bevill	Gilchrist	Jones (Covington)	Roberts
Bishop	Gilmer	Jones (Monroe)	Rozelle
Boyd	Glass	Lee	Salter
Branyon	Grant	Locke	Self
Broadfoot	Gross	Long (Lauderdale)	Smith (St. Clair)
Brooks	Grouby	Long (Perry)	Solomon
Cabiness	Guthrie	McClendon (Chambers)	Speaks
Cates	Hain	McLendon (Bullock)	Steagall
Chambers	Hanby	Martin	Taylor
Cook	Hankins	Murphy	Thomas
Cornett	Hardy	Nettles	Turnham
Daniel	Harris	Oakley	Vickers

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MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Ingram to suspend the rules in order to take up for immediate consideration the third reading of the bills, H. 636 and H. 637, was adopted.

And the bill:

H. 636. To provide for continuity of state and local government in the event of an attack by an enemy of the United States.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Daniel	Hawkins	Pierce
Adams	Dickson	Ingram	Powell
Albea	Dodd	Jenkins	Ramey
Barnett	Dunn	Johnson (J. T. Tom)	Rast
Bassett	Faulk	Johnston (Leonard)	Ray
Bevill	Ferguson	Lee	Roberts
Bishop	Franklin	Locke	Rozelle
Boyd	Gilchrist	Long (Lauderdale)	Salter
Branyon	Gilmer	Long (Perry)	Self
Brewer	Glass	McClendon (Chambers)	Sessions
Britton	Goodwyn	McLendon (Bullock)	Shumate
Broadfoot	Grant	Martin	Smith (Russell)
Brooks	Gross	Meade	Smith (St. Clair)
Cabiness	Grouby	Morrow	Solomon
Callahan	Guthrie	Murphy	Speaks
Camp	Hain	Nettles	Steagall
Casey	Hankins	Oakley	Sullivan
Cates	Hardy	Oden	Thomas
Chambers	Harris	Owens	Turner
Cook	Harvey	Phillips	Vickers
Cornett			

—81

And the bill:

H. 637. To propose an amendment to the Constitution of Alabama to provide for the continuity of the Legislature of the State of Alabama and the representation therein of the political subdivision of the State, in the event of an attack by an enemy of the United States.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Edwards	Johnson (J. T. Tom)	Powell
Albea	Faulk	Johnston (Leonard)	Pruitt
Bassett	Ferguson	Jones (Covington)	Ramey
Bevill	Franklin	Jones (Monroe)	Rast
Boyd	Gilmer	Lee	Reynolds (Chambers)
Branyon	Glass	Locke	Reynolds (Madison)
Brewer	Goldthwaite	Long (Lauderdale)	Roberts
Britton	Goodwyn	McClendon (Chambers)	Rozelle
Brooks	Gordon	McCorquodale	Salter
Cabiness	Grant	McLendon (Bullock)	Self
Callahan	Gross	Martin	Sessions
Camp	Guthrie	Meade	Solomon
Cates	Hain	Murphy	Speaks
Chambers	Hanby	Nettles	Steagall
Cook	Hankins	Nichols	Sullivan
Cornett	Hardy	Oakley	Thomas
Daniel	Harris	Oden	Torbert
Dickson	Harvey	Owens	Turner
Dodd	Hawkins	Phillips	Turnham
Dunn	Ingram	Pierce	Vickers

—80

MOTION TO SUSPEND RULES LOST

The motion of Mr. Nettles to suspend the rules in order to introduce a bill out of order was lost.

Yeas 63; Nays 22.

Yeas:

Mr. Speaker	Faulk	Jenkins	Phillips
Albea	Ferguson	Johnson (J. T. Tom)	Pierce
Avery	Franklin	Johnston (Leonard)	Powell
Bassett	Gilmer	Jones (Covington)	Pruitt
Bevill	Glass	Jones (Monroe)	Ramey
Boyd	Goldthwaite	Lee	Ray
Branyon	Goodwyn	McClendon (Chambers)	Roberts
Britton	Gordon	McCorquodale	Rozelle
Brooks	Grant	McLendon (Bullock)	Salter
Cabiness	Gross	Martin	Shumate
Callahan	Guthrie	Meade	Steagall
Camp	Hain	Nettles	Thomas
Cates	Hardy	Nichols	Torbert
Daniel	Harris	Oakley	Turnham
Dickson	Harvey	Oden	Vickers
Dunn	Ingram	Owens	

—63

Nays:

Messrs.	Dodd	Murphy	Sessions
Bishop	Edwards	Perry	Speaks
Brewer	Hankins	Rast	Sullivan
Broadfoot	Hawkins	Reynolds (Chambers)	Taylor
Casey	Locke	Reynolds (Madison)	Turner
Cornett	Long (Lauderdale)	Self	

—22

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Albea to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 370, was adopted.

And the bill:

H. 370. (with amendment). To amend Code of Alabama 1940, Title 51, Section 568, in relation to the privilege license payable by itinerant vendors or peddlers.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

AMENDMENT TO H. B. 370

In Section 2, strike out "This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law" and insert "This Act shall take effect October 1, 1961"

And the amendment was adopted.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Cook	Hawkins	Pierce
Adams	Dickson	Hearn	Powell
Albea	Dodd	Ingram	Pruitt
Avery	Dunn	Johnson (J. T. Tom)	Ramey
Bailey	Faulk	Johnston (Leonard)	Rast
Bassett	Ferguson	Jones (Monroe)	Ray
Bevill	Franklin	Lee	Rozelle
Bishop	Gilchrist	Locke	Salter
Boyd	Gilmer	Long (Perry)	Sessions
Branyon	Glass	McClendon (Chambers)	Shumate
Brewer	Gordon	McCorquodale	Solomon
Britton	Grant	McLendon (Bullock)	Speaks
Broadfoot	Gross	Martin	Steagall
Brooks	Hain	Meade	Sullivan
Cabiness	Hanby	Murphy	Taylor
Camp	Hankins	Owens	Thomas
Casey	Harris	Perry	Turner
Cates	Harvey	Phillips	Vickers
Chambers			

—73

And said bill, H. 370, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Dunn	Hearn	Pierce
Adams	Faulk	Ingram	Powell
Albea	Ferguson	Johnson (J. T. Tom)	Pruitt
Bevill	Franklin	Johnston (Leonard)	Ramey
Bishop	Gilchrist	Jones (Covington)	Reynolds (Madison)
Boyd	Gilmer	Jones (Monroe)	Rozelle
Branyon	Glass	Lee	Salter
Brewer	Goldthwaite	Locke	Shumate
Broadfoot	Gordon	Long (Lauderdale)	Smith (Russell)
Brooks	Grant	McCorquodale	Smith (St. Clair)
Cabiness	Gross	McLendon (Bullock)	Solomon
Callahan	Guthrie	Martin	Speaks
Camp	Hain	Merrill	Steagall
Cates	Hanby	Murphy	Sullivan
Chambers	Hankins	Nichols	Taylor
Cook	Hardy	Owens	Thomas
Cornett	Harris	Perry	Turner
Dickson	Harvey	Phillips	Vickers
Dodd	Hawkins		

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RESOLUTION

The following resolution was introduced:

By Mr. Smith (Russell):

H. J. R. 84. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that when the two Houses adjourn today, they adjourn to meet again on Tuesday, August 8, 1961.

The motion of Mr. Smith (Russell) to suspend the rules in order to bring up for immediate consideration the above and foregoing H. J. R. 84 was lost.

Yeas 45; Nays 27.

Yeas:

Mr. Speaker	Faulk	Harvey	Owens
Adams	Ferguson	Ingram	Pierce
Albea	Franklin	Johnston (Leonard)	Powell
Bailey	Gilmer	Jones (Monroe)	Pruitt
Bassett	Goodwyn	Lee	Ray
Bishop	Gordon	McCorquodale	Salter
Boyd	Grant	McLendon (Bullock)	Self
Branyon	Hain	Martin	Smith (Russell)
Cook	Hanby	Merrill	Steagall
Cornett	Hankins	Nettles	Thomas
Daniel	Hardy	Oden	Vickers
Dunn			

—45

Nays:

Messrs.	Dickson	Jenkins	Reynolds (Madison)
Brewer	Dodd	Johnson (J. T. Tom)	Rozelle
Broadfoot	Edwards	Locke	Sessions
Brooks	Gilchrist	Long (Lauderdale)	Smith (St. Clair)
Cabiness	Goldthwaite	Murphy	Solomon
Callahan	Harris	Perry	Taylor
Camp	Hawkins	Reynolds (Chambers)	Turner

—27

And said resolution H. J. R. 84 was read and referred to the Standing Committee on Rules.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Salter to suspend the rules in order to take up for immediate consideration the third reading of the bills, H. 1036 and H. 1037, was adopted.

And the bill:

H. 1036. To regulate the purchase of supplies, materials, equipment, and other personal property for or on behalf of Conecuh County or any of its officers, departments, agents, or instrumentalities; providing for competitive bidding on certain purchases and prescribing penalties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Chambers	Harris	Perry
Adams	Daniel	Harvey	Phillips
Albea	Dickson	Ingram	Pierce
Bailey	Dodd	Johnston (Leonard)	Powell
Barnett	Dunn	Jones (Monroe)	Ramey
Bassett	Faulk	Lee	Reynolds (Madison)
Bevill	Ferguson	Long (Perry)	Rozelle
Bishop	Franklin	McClendon (Chambers)	Salter
Boyd	Gilmer	McCorquodale	Self
Branyon	Glass	McLendon (Bullock)	Smith (St. Clair)
Brewer	Gordon	Martin	Solomon
Britton	Grant	Merrill	Speaks
Brooks	Gross	Morrow	Sullivan
Cabiness	Hain	Murphy	Taylor
Camp	Hanby	Nettles	Thomas
Casey	Hankins	Nichols	Turner
Cates	Hardy	Oakley	Vickers

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And the bill:

H. 1037. To provide expense allowance for members and chairmen of courts of county commissioners, boards of revenue, or other like governing bodies of all counties having populations of not less than 17,400 nor more than 17,800.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Dickson	Harris	Phillips
Adams	Dodd	Harvey	Pierce
Albea	Dunn	Jenkins	Powell
Bailey	Faulk	Johnston (Leonard)	Ramey
Barnett	Ferguson	Jones (Monroe)	Reynolds (Madison)
Bevill	Franklin	Lee	Rozelle
Bishop	Gilchrist	Long (Perry)	Salter
Boyd	Glass	McClendon (Chambers)	Self
Branyon	Goldthwaite	McCorquodale	Shumate
Brewer	Gordon	McLendon (Bullock)	Smith (Russell)
Britton	Grant	Martin	Smith (St. Clair)
Brooks	Gross	Morrow	Speaks
Cabiness	Grouby	Murphy	Steagall
Casey	Hain	Nettles	Sullivan
Cates	Hanby	Oakley	Taylor
Chambers	Hankins	Owens	Turner
Daniel	Hardy	Perry	Vickers

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MOTION TO ADJOURN LOST

The motion of Mr. Nettles that the House adjourn until Tuesday, August 8, 1961, at twelve o'clock, noon, was lost.

Yeas 31; Nays 38.

Yeas:

Messrs.	Goldthwaite	Jones (Monroe)	Phillips
Branyon	Gordon	Lee	Pierce
Camp	Grant	McCorquodale	Ramey
Cook	Hain	Martin	Self
Cornett	Hardy	Nettles	Shumate
Daniel	Harris	Nichols	Smith (Russell)
Faulk	Ingram	Oakley	Steagall
Franklin	Johnston (Leonard)	Owens	Thomas

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Nays:

Messrs.	Chambers	Harvey	Reynolds (Madison)
Albea	Dickson	Jenkins	Salter
Bailey	Dodd	Johnson (J. T. Tom)	Sessions
Barnett	Ferguson	Jones (Covington)	Smith (St. Clair)
Bishop	Gilchrist	Long (Lauderdale)	Solomon
Broadfoot	Glass	Long (Perry)	Speaks
Brooks	Gross	McLendon (Bullock)	Sullivan
Cabiness	Grouby	Morrow	Taylor
Callahan	Hanby	Perry	Turner
Casey	Hankins	Powell	

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BILLS ON THIRD READING RESUMED

BILLS POSTPONED

On motion of Mr. Camp, consideration of the bills, S. 31 and S. 30, was postponed until the next legislative day.

And the bill:

H. 963. To provide for the compensation of deputies of the sheriffs in all counties having populations of not less than 25,500 nor more than 25,700, according to the 1960 or any subsequent federal decennial census.

Was taken up.

Mr. Speaks offered the following substitute for the bill, H. 963:

A BILL
TO BE ENTITLED
AN ACT

To provide for the appointment of an additional deputy and for the compensation of deputies of the sheriffs in all counties having populations of not less than 25,500 nor more than 25,700, according to the 1960 or any subsequent federal decennial census.

Be It Enacted by the Legislature of Alabama:

Section 1. The compensation of the deputies of the sheriffs of all counties having populations of not less than 25,500 nor more than 25,700, according to the 1960 or any subsequent federal decennial census, which is payable from the county treasury, other than the compensation of the chief deputy, shall be fixed by the court of county commissioners, board of revenue, or like governing body of the county, at not less than one thousand eight hundred dollars (\$1,800) nor more than four thousand two hundred dollars (\$4,200) per annum.

Section 2. The sheriff of any such county may appoint an additional deputy, whose compensation shall be fixed by the court of county commissioners, board of revenue, or like county governing body as provided in Section 1.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective August 30, 1961.

And the substitute was adopted.

Yeas 71; Nays 0.

Yeas:

Messrs.	Britton	Daniel	Gilmer
Adams	Broadfoot	Dickson	Glass
Bailey	Brooks	Dodd	Gordon
Barnett	Cabiness	Dunn	Grant
Bevill	Camp	Faulk	Gross
Bishop	Casey	Ferguson	Grouby
Branyon	Cates	Franklin	Hain
Brewer	Chambers	Gilchrist	Hanby

Hankins	Lee	Oakley	Sessions
Hardy	Long (Perry)	Owens	Shumate
Harris	McClendon (Chambers)	Phillips	Smith (St. Clair)
Hawkins	McCorquodale	Powell	Solomon
Hearn	Martin	Ramey	Speaks
Ingram	Meade	Reynolds (Chambers)	Steagall
Jenkins	Morrow	Reynolds (Madison)	Sullivan
Johnson (J. T. Tom)	Murphy	Rozelle	Taylor
Johnston (Leonard)	Nettles	Salter	Turner
Jones (Monroe)	Nichols	Self	Vickers

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And said bill, H. 963, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 0.

Yeas:

Messrs.	Dodd	Johnson (J. T. Tom)	Ramey
Adams	Faulk	Johnston (Leonard)	Reynolds (Chambers)
Bailey	Ferguson	Jones (Monroe)	Reynolds (Madison)
Barnett	Franklin	Lee	Rozelle
Bassett	Gilchrist	Locke	Salter
Bevill	Gilmer	Long (Perry)	Self
Bishop	Glass	McClendon (Chambers)	Sessions
Branyon	Gordon	McCorquodale	Shumate
Brewer	Grant	McLendon (Bullock)	Smith (Russell)
Britton	Gross	Martin	Smith (St. Clair)
Broadfoot	Grouby	Meade	Solomon
Brooks	Hain	Morrow	Speaks
Cabiness	Hanby	Murphy	Steagall
Camp	Hankins	Nettles	Sullivan
Casey	Hardy	Nichols	Taylor
Cates	Harris	Oakley	Thomas
Chambers	Hawkins	Owens	Turner
Daniel	Hearn	Phillips	Vickers
Dickson	Ingram	Powell	

—74

And the bill:

H. 803. To repeal Act No. 302, H. 833, Regular Session 1955, entitled "An Act to authorize all cities or towns in the State of Alabama having a population of 6500 and not more than 6900 according to the last or any subsequent Federal census to provide for the designation of the members of the governing body of all such cities; to provide that in all general elections for the election of members of the governing body in such cities, each such position shall be filled and shall be designated separately and shall appear separately on all ballots in such election; to provide that each candidate for election in such election shall designate the position to which he is seeking election; to provide that a certificate of election shall only be given to the candidate who receives a majority of the votes cast for his office; to provide that if no candidate receives a majority of the votes for any office of such cities a new election shall be held at which election the two candidates receiving the highest number of votes in the first election for such office shall run, and that the candidate receiving the highest number of votes in the run-off election shall be elected; to provide the man-

ner in which either of the candidates receiving the highest number of votes in an election in which no candidate receives a majority of the votes cast shall decline to run for said office; to provide that the governing body of such cities shall decide the successful candidate in the event of a tie vote in a run-off election; to provide that except as otherwise provided all elections held under the terms of this act shall be held in accordance with the general municipal election laws of the State of Alabama pertaining to the Mayor-Council form of government; and to provide that all laws or parts of laws in conflict with this act are repealed," (Acts of Alabama 1955, vol. I, pp. 699-702).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 64; Nays 0.

Yeas:

Mr. Speaker	Faulk	Lee	Ray
Adams	Franklin	Long (Perry)	Reynolds (Chambers)
Albee	Gilchrist	McClendon (Chambers)	Reynolds (Madison)
Bailey	Glass	McCorquodale	Rozelle
Barnett	Gordon	McLendon (Bullock)	Salter
Bassett	Grant	Martin	Self
Bishop	Gross	Meade	Sessions
Branyon	Grouby	Merrill	Smith (Russell)
Brewer	Hain	Morrow	Smith (St. Clair)
Britton	Hanby	Murphy	Solomon
Broadfoot	Hankins	Nettles	Speaks
Cabiness	Hardy	Oakley	Steagall
Cates	Hearn	Oden	Taylor
Chambers	Ingram	Owens	Thomas
Daniel	Johnson (J. T. Tom)	Phillips	Turner
Dodd	Jones (Monroe)	Powell	Vickers

—64

And the bill:

H. 969. Relative to cities in the State having a population of not less than 60,000 people nor more than 70,000 people, according to the last or any subsequent federal decennial census; providing for a commission form of government for such cities and making provisions for the election of the chairman of the commission board and two associate commissioners; providing for the time and manner of calling and of holding such election and providing for filing of a statement of candidacy therefor; providing for the filling of vacancies; providing for a commission board and its powers and authorities; providing for the distribution of functions of the city into three divisions, and for the duty of each commissioner with respect to said divisions; providing that the chairman of the commission board shall devote his full time to the duties of his office, and that each associate commissioner shall devote such time daily as may be necessary to perform the duties of his office; providing for the salary of the chairman and of each associate commissioner; providing that such of the provisions of Article 1, Chapter 4, Title 37 of the Alabama Code of 1940, as amended or as the same is hereafter amended, as are not inconsistent with the provisions of this act, shall apply to and govern the city after it shall become organized according to the provisions of this act; providing for the election of a recorder; providing that the existing government in any such city continue in force until

the commissioners elected pursuant to this act qualify and take office; and providing for the repeal of all laws, whether general, special or local, in direct conflict with the provisions hereof.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 61; Nays 0.

Yeas:

Messrs.	Faulk	Jones (Monroe)	Ray
Adams	Franklin	Lee	Reynolds (Chambers)
Bailey	Gilchrist	Long (Perry)	Reynolds (Madison)
Barnett	Gilmer	McClendon (Chambers)	Rozelle
Bassett	Glass	McCorquodale	Self
Bishop	Goodwyn	McLendon (Bullock)	Sessions
Branyon	Gordon	Martin	Shumate
Britton	Grant	Meade	Smith (Russell)
Brooks	Gross	Murphy	Smith (St. Clair)
Callahan	Grouby	Nettles	Solomon
Cates	Hain	Oakley	Steagall
Chambers	Hanby	Oden	Taylor
Daniel	Hankins	Owens	Thomas
Dickson	Hardy	Phillips	Turner
Dodd	Hearn	Powell	Vickers
Dunn	Ingram		

—61

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Lee to suspend the rules in order to introduce a resolution out of order was adopted.

RESOLUTION

The following resolution was introduced:

By Mr. Lee:

H. J. R. 85. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING:

That when the two houses adjourn today they adjourn to meet again on Friday, August 11th at 10:00 A.M.

On motion of Mr. Lee the rules were suspended and H. J. R. 85 was adopted.

BILLS ON THIRD READING RESUMED

H. 972. To amend further Section 3 of Act No. 361, H. 878, Regular Session 1939, an act fixing the compensation or salary to be paid the tax assessor of Morgan County and providing clerical assistance for his office (Local Acts of Alabama 1939, p. 248).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Daniel	Ingram	Powell
Avery	Dickson	Johnson (J. T. Tom)	Ramey
Bailey	Dodd	Jones (Monroe)	Ray
Bassett	Dunn	Lee	Reynolds (Madison)
Bishop	Edwards	Locke	Rozelle
Boyd	Faulk	McClendon (Chambers)	Salter
Branyon	Gilchrist	McCorquodale	Self
Brewer	Gilmer	McLendon (Bullock)	Sessions
Britton	Glass	Martin	Smith (Russell)
Brooks	Gordon	Morrow	Solomon
Cabiness	Grant	Murphy	Speaks
Camp	Gross	Nettles	Steagall
Casey	Guthrie	Oakley	Taylor
Cates	Hain	Oden	Thomas
Chambers	Hanby	Perry	Turner
Cook	Hankins	Phillips	Turnham
Cornett	Hardy	Pierce	Vickers

—68

And the bill:

H. 973. To amend further Section 1 of Act No. 68, H. 263, Regular Session 1947, an act providing for the appointment of a deputy register for the circuit court of Morgan County (Local Acts of Alabama 1947, p. 51).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Daniel	Hardy	Pierce
Avery	Dickson	Ingram	Powell
Bailey	Dodd	Johnson (J. T. Tom)	Ramey
Bassett	Dunn	Jones (Monroe)	Rast
Bishop	Edwards	Lee	Ray
Boyd	Faulk	Long (Perry)	Reynolds (Madison)
Branyon	Franklin	McClendon (Chambers)	Rozelle
Brewer	Gilchrist	McCorquodale	Self
Britton	Gilmer	McLendon (Bullock)	Sessions
Broadfoot	Glass	Martin	Smith (Russell)
Brooks	Goldthwaite	Morrow	Solomon
Cabiness	Gordon	Murphy	Speaks
Camp	Grant	Nettles	Steagall
Casey	Gross	Nichols	Taylor
Cates	Hain	Oakley	Thomas
Chambers	Hanby	Oden	Turner
Cornett	Hankins	Phillips	Vickers

—68

And the bill:

H. 974. To amend Section 11 of the act of the Legislature of Alabama, approved March 9, 1939, by which the Board of Revenue and Control of Morgan County, Alabama, was created, being Act No. 129 of the regular session of the Legislature of Alabama of 1939, (Local Acts 1939, page 70 et seq.), as amended by Act No. 291, Local Acts 1943, page 172, approved June 28, 1943.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Dunn	Lee	Rast
Adams	Edwards	Locke	Ray
Bailey	Faulk	Long (Perry)	Reynolds (Chambers)
Barnett	Franklin	McClendon (Chambers)	Reynolds (Madison)
Bassett	Gilchrist	McCorquodale	Rozelle
Bishop	Gilmer	McLendon (Bullock)	Salter
Boyd	Glass	Martin	Self
Branyon	Goodwyn	Merrill	Sessions
Brewer	Gordon	Morrow	Smith (Russell)
Britton	Grant	Murphy	Solomon
Broadfoot	Gross	Nettles	Speaks
Cabiness	Hain	Nichols	Steagall
Camp	Hanby	Oakley	Sullivan
Casey	Hankins	Oden	Taylor
Cates	Hardy	Perry	Thomas
Chambers	Ingram	Phillips	Turner
Cornett	Johnson (J. T. Tom)	Pierce	Turnham
Daniel	Johnston (Leonard)	Powell	Vickers
Dodd	Jones (Monroe)	Ramey	

—75

And the bill:

H. 975. To abolish the office of commissioner of public schools of Morgan County and re-establish the office of county superintendent of education; repealing Act No. 88, H. 155, 1st Special Session 1956 and all conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Brewer	Daniel	Glass
Adams	Britton	Dickson	Goodwyn
Bailey	Broadfoot	Dodd	Gordon
Barnett	Brooks	Dunn	Grant
Bassett	Cabiness	Faulk	Gross
Bishop	Casey	Franklin	Hain
Boyd	Cates	Gilchrist	Hanby
Branyon	Chambers	Gilmer	Hankins

Hardy	McClendon (Chambers)	Pierce	Smith (St. Clair)
Harris	McCorquodale	Powell	Speaks
Ingram	McLendon (Bullock)	Ramey	Steagall
Jenkins	Martin	Rast	Sullivan
Johnson (J. T. Tom)	Murphy	Ray	Taylor
Johnston (Leonard)	Nettles	Reynolds (Chambers)	Thomas
Jones (Monroe)	Oakley	Reynolds (Madison)	Turner
Lee	Oden	Rozelle	Turnham
Locke	Perry	Self	Vickers
Long (Perry)	Phillips	Smith (Russell)	

—71

And the bill:

H. 959. To amend further an act approved February 18, 1927, entitled "An Act to provide additional duties and confer additional powers on each member of the Court of County Commissioners of Talladega County, Alabama, and supervising the construction, maintenance and upkeep of the roads and bridges in his district and to fix the salary and compensation of said commissioners" (Act No. 62, H. 181, Local Acts 1927, P. 25).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Dodd	Johnston (Leonard)	Ramey
Adams	Dunn	Jones (Covington)	Rast
Avery	Edwards	Jones (Monroe)	Ray
Bailey	Faulk	Lee	Reynolds (Chambers)
Barnett	Franklin	Locke	Reynolds (Madison)
Bassett	Gilchrist	Long (Perry)	Rozelle
Bishop	Gilmer	McClendon (Chambers)	Salter
Boyd	Glass	McCorquodale	Self
Branyon	Goldthwaite	McLendon (Bullock)	Sessions
Brewer	Goodwyn	Martin	Smith (Russell)
Britton	Gordon	Meade	Smith (St. Clair)
Broadfoot	Grant	Murphy	Speaks
Brooks	Hain	Nettles	Steagall
Cabiness	Hanby	Nichols	Sullivan
Camp	Hankins	Oakley	Taylor
Casey	Hardy	Perry	Thomas
Cates	Harris	Phillips	Turner
Chambers	Ingram	Pierce	Turnham
Daniel	Jenkins	Powell	Vickers
Dickson	Johnson (J. T. Tom)	Pruitt	

—79

H. 976 POSTPONED

On motion of Mr. Brewer, consideration of the bill, H. 976, was postponed until the next legislative day.

And the bill:

H. 977. To amend further Section 4 of Act No. 70, H. 336, Regular Session 1943, an act placing the judge of probate of Morgan County on a salary basis and providing for clerical assistance (Local Acts of Alabama 1943, p. 34).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Dunn	Johnson (J. T. Tom)	Pruitt
Adams	Edwards	Johnston (Leonard)	Ramey
Avery	Faulk	Jones (Covington)	Rast
Bailey	Franklin	Jones (Monroe)	Ray
Barnett	Gilchrist	Lee	Reynolds (Chambers)
Bassett	Gilmer	Locke	Reynolds (Madison)
Bishop	Glass	Long (Perry)	Rozelle
Boyd	Goodwyn	McClendon (Chambers)	Salter
Branyon	Gordon	McCorquodale	Self
Brewer	Grant	McLendon (Bullock)	Smith (Russell)
Britton	Gross	Meade	Smith (St. Clair)
Broadfoot	Hain	Murphy	Speaks
Cabiness	Hanby	Nettles	Steagall
Camp	Hankins	Nichols	Sullivan
Casey	Hardy	Oakley	Taylor
Cates	Harris	Perry	Thomas
Chambers	Ingram	Phillips	Turnham
Daniel	Jenkins	Powell	Vickers
Dodd			

—73

And the bill:

H. 978. To amend further Section 1 of Act No. 64, H. 259, Regular Session 1947, an act providing for the appointment of a deputy clerk for the circuit court of Morgan County (Local Acts of Alabama 1947, p. 45).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Broadfoot	Dunn	Hain
Adams	Brooks	Edwards	Hanby
Avery	Cabiness	Faulk	Hankins
Bailey	Camp	Franklin	Hardy
Barnett	Casey	Gilchrist	Harris
Bassett	Cates	Gilmer	Hawkins
Bishop	Chambers	Glass	Hearn
Boyd	Cornett	Goodwyn	Ingram
Branyon	Daniel	Gordon	Jenkins
Brewer	Dickson	Grant	Johnson (J. T. Tom)
Britton	Dodd	Gross	Johnston (Leonard)

Jones (Covington)	Murphy	Rast	Smith (St. Clair)
Jones (Monroe)	Nettles	Ray	Speaks
Lee	Nichols	Reynolds (Chambers)	Steagall
Locke	Oakley	Reynolds (Madison)	Sullivan
Long (Perry)	Perry	Rozelle	Taylor
McClendon (Chambers)	Phillips	Salter	Thomas
McCorquodale	Powell	Self	Turnham
McLendon (Bullock)	Ramey	Smith (Russell)	Vickers
Meade			

—77

And the bill:

H. 979. To amend further Section 3 of Act No. 464, H. 875, Regular Session 1939, an act fixing the compensation or salary to be paid the tax collector of Morgan County and providing him clerical assistance (Local Acts of Alabama 1939, p. 278).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Dickson	Hearn	Powell
Adams	Dodd	Ingram	Ramey
Avery	Dunn	Jenkins	Rast
Bailey	Edwards	Johnson (J. T. Tom)	Ray
Barnett	Franklin	Johnston (Leonard)	Reynolds (Chambers)
Bishop	Gilchrist	Jones (Monroe)	Reynolds (Madison)
Branyon	Gilmer	Lee	Rozelle
Brewer	Glass	Long (Perry)	Salter
Britton	Goodwyn	McClendon (Chambers)	Self
Broadfoot	Gordon	McCorquodale	Smith (Russell)
Brooks	Grant	McLendon (Bullock)	Smith (St. Clair)
Cabiness	Gross	Martin	Speaks
Camp	Hain	Meade	Steagall
Casey	Hanby	Murphy	Sullivan
Cates	Hankins	Nettles	Taylor
Chambers	Hardy	Nichols	Thomas
Cook	Harris	Oakley	Turnham
Cornett	Hawkins	Phillips	Vickers
Daniel			

—73

And the bill:

H. 980. To amend Act No. 477, H. 861, Regular Session 1955 titled "An Act to provide an additional expense allowance for the circuit judges of the Eighth Judicial Circuit; and to provide for the manner of payment of this allowance" (Acts 1955, vol. II, p. 1084).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Dickson	Hawkins	Powell
Adams	Dodd	Hearn	Ramey
Avery	Dunn	Ingram	Rast
Bailey	Edwards	Jenkins	Ray
Barnett	Faulk	Johnson (J. T. Tom)	Reynolds (Chambers)
Bassett	Ferguson	Johnston (Leonard)	Reynolds (Madison)
Bishop	Franklin	Lee	Rozelle
Boyd	Gilchrist	Locke	Salter
Branyon	Gilmer	Long (Perry)	Self
Brewer	Glass	McClendon (Chambers)	Sessions
Britton	Goodwyn	McCorquodale	Smith (Russell)
Broadfoot	Gordon	McLendon (Bullock)	Smith (St. Clair)
Brooks	Grant	Martin	Speaks
Cabiness	Gross	Meade	Steagall
Camp	Grouby	Murphy	Sullivan
Casey	Hain	Nettles	Taylor
Chambers	Hanby	Nichols	Thomas
Cook	Hankins	Oakley	Turnham
Cornett	Hardy	Perry	Vickers
Daniel	Harris	Phillips	

—79

And the bill:

H. 989. To provide further for the operation and maintenance of public high schools and public elementary schools in Bullock County.

Was taken up.

Mr. Powell offered the following amendment to the bill, H. 989:

AMENDMENT TO H. B. 989

Strike out Section 3 of the bill entirely and substitute therefor the following:

Section 3. The provisions of this Act shall become effective only upon the approval of a majority of the qualified electors of Bullock County who vote thereon at a referendum election which is ordered to be held on the first Tuesday after the expiration of 20 days from the date of this enactment. The board of revenue, court of county commissioners, or other like governing body of Bullock County shall order and provide for holding a referendum on such date. Notice of the election shall be given by publication once a week for two consecutive weeks in a newspaper published in the county. On the ballots to be used at the election, the question shall be stated substantially as follows: "Do you favor the local law enacted at the 1961 Regular Session of the Legislature requiring the county board of education to maintain two high schools for white pupils in Bullock County?" If a majority of the votes cast in the referendum election are in favor of the proposal, the provisions of this Act shall become operative immediately; however, if the majority do not approve of the proposal, this Act shall have no further effect. The judge of probate of Bullock County shall certify the results of the election to the secretary of state of the State of Alabama and to the state superintendent of education within 30 days after the returns of the election are canvassed.

And the amendment was adopted.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Daniel	Hawkins	Phillips
Adams	Dickson	Hearn	Powell
Avery	Dodd	Ingram	Ramey
Bailey	Dunn	Jenkins	Rast
Barnett	Edwards	Johnston (Leonard)	Ray
Bassett	Franklin	Lee	Reynolds (Chambers)
Bishop	Gilchrist	Long (Perry)	Reynolds (Madison)
Boyd	Gilmer	McClendon (Chambers)	Rozelle
Branyon	Glass	McCorquodale	Salter
Brewer	Goodwyn	McLendon (Bullock)	Self
Britton	Gordon	Martin	Sessions
Broadfoot	Grant	Meade	Smith (Russell)
Brooks	Gross	Murphy	Smith (St. Clair)
Cabiness	Grouby	Nettles	Speaks
Camp	Hain	Nichols	Steagall
Casey	Hanby	Oakley	Thomas
Chambers	Hankins	Oden	Turnham
Cook	Hardy	Perry	Vickers
Cornett	Harris		

—74

And said bill, H. 989, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Daniel	Harris	Oden
Adams	Dickson	Hawkins	Perry
Avery	Dodd	Hearn	Phillips
Bailey	Dunn	Ingram	Powell
Barnett	Edwards	Jenkins	Ramey
Bassett	Faulk	Johnston (Leonard)	Rast
Bishop	Ferguson	Lee	Ray
Boyd	Franklin	Locke	Reynolds (Madison)
Branyon	Gilchrist	Long (Perry)	Rozelle
Brewer	Gilmer	McClendon (Chambers)	Salter
Britton	Glass	McCorquodale	Self
Broadfoot	Goodwyn	McLendon (Bullock)	Smith (Russell)
Brooks	Gordon	Martin	Smith (St. Clair)
Cabiness	Gross	Meade	Speaks
Camp	Grouby	Morrow	Steagall
Casey	Hain	Nettles	Thomas
Chambers	Hanby	Nichols	Turnham
Cook	Hankins	Oakley	Vickers
Cornett	Hardy		

—74

And the bill:

H. 1034. To provide for appointment of an additional deputy sheriff of Dale County and for payment of his compensation.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Cornett	Harris	Perry
Adams	Daniel	Hawkins	Phillips
Avery	Dickson	Hearn	Powell
Bailey	Dodd	Ingram	Ramey
Barnett	Dunn	Jenkins	Ray
Bassett	Edwards	Johnston (Leonard)	Reynolds (Madison)
Bishop	Faulk	Lee	Rozelle
Boyd	Franklin	Locke	Salter
Branyon	Gilchrist	Long (Perry)	Self
Brewer	Gilmer	McClendon (Chambers)	Sessions
Britton	Glass	McCorquodale	Smith (Russell)
Broadfoot	Goodwyn	McLendon (Bullock)	Smith (St. Clair)
Brooks	Gordon	Martin	Speaks
Cabiness	Grant	Meade	Steagall
Camp	Gross	Nettles	Sullivan
Casey	Hain	Nichols	Taylor
Cates	Hanby	Oakley	Thomas
Chambers	Hankins	Oden	Turnham
Cook	Hardy		

—74

And the bill:

H. 1035. To provide for the compensation of the county or deputy solicitor of Dale County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Daniel	Hearn	Phillips
Adams	Dickson	Ingram	Powell
Avery	Dodd	Jenkins	Ramey
Bailey	Dunn	Johnson (J. T. Tom)	Ray
Barnett	Faulk	Johnston (Leonard)	Reynolds (Madison)
Bassett	Franklin	Jones (Covington)	Rozelle
Bishop	Gilchrist	Lee	Salter
Boyd	Gilmer	Locke	Self
Branyon	Glass	Long (Perry)	Sessions
Brewer	Goodwyn	McClendon (Chambers)	Smith (Russell)
Britton	Gordon	McCorquodale	Smith (St. Clair)
Broadfoot	Grant	Martin	Speaks
Brooks	Gross	Meade	Steagall
Cabiness	Grouby	Nettles	Sullivan
Camp	Hain	Nichols	Taylor
Casey	Hanby	Oakley	Thomas
Cates	Hankins	Oden	Turnham
Chambers	Hardy	Perry	Vickers
Cornett	Harris		

—74

And the bill:

H. 1038. To provide for paid leaves of absence for employees of Conecuh County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Edwards	Hawkins	Phillips
Adams	Faulk	Ingram	Powell
Bailey	Franklin	Jenkins	Ramey
Bassett	Gilchrist	Johnston (Leonard)	Ray
Bishop	Gilmer	Jones (Covington)	Reynolds (Chambers)
Boyd	Glass	Lee	Rozelle
Branyon	Goldthwaite	McClendon (Chambers)	Salter
Brewer	Goodwyn	McCorquodale	Self
Brooks	Gordon	McLendon (Bullock)	Sessions
Cabiness	Grant	Martin	Smith (Russell)
Cates	Gross	Meade	Smith (St. Clair)
Chambers	Grouby	Murphy	Speaks
Cornett	Hain	Nettles	Steagall
Daniel	Hanby	Nichols	Sullivan
Dickson	Hankins	Oakley	Taylor
Dodd	Hardy	Oden	Thomas
Dunn	Harris	Perry	Turnham

—68

And the bill:

H. 1039. Relating to counties having a population of not less than 96,000 nor more than 106,000 inhabitants; Providing that witness certificates obtained as a State's witness before the Grand Jury or before the Circuit or County Court in which a criminal prosecution is pending shall be paid immediately upon presentation for payment.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Cabiness	Faulk	Grouby
Adams	Camp	Franklin	Hain
Bailey	Cates	Gilchrist	Hanby
Bassett	Chambers	Gilmer	Hankins
Bishop	Cornett	Glass	Hardy
Boyd	Daniel	Goldthwaite	Harris
Branyon	Dickson	Goodwyn	Hawkins
Brewer	Dodd	Gordon	Ingram
Broadfoot	Dunn	Grant	Jenkins
Brooks	Edwards	Gross	Johnson (J. T. Tom)

Johnston (Leonard)	Nettles	Ray	Speaks
Lee	Nichols	Reynolds (Madison)	Steagall
Locke	Oakley	Rozelle	Sullivan
McClendon (Chambers)	Oden	Self	Taylor
McCorquodale	Perry	Sessions	Thomas
McLendon (Bullock)	Phillips	Smith (Russell)	Turner
Martin	Powell	Smith (St. Clair)	Turnham
Meade	Ramey		

—70

And the bill:

H. 1042. Relating to Bullock County; prescribing the times when county offices may be closed.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Dodd	Hawkins	Phillips
Adams	Dunn	Ingram	Powell
Bailey	Edwards	Jenkins	Ray
Barnett	Faulk	Johnston (Leonard)	Reynolds (Madison)
Bassett	Franklin	Lee	Rozelle
Bishop	Gilchrist	Locke	Self
Boyd	Gilmer	Long (Perry)	Sessions
Branyon	Glass	McClendon (Chambers)	Smith (Russell)
Brewer	Goldthwaite	McCorquodale	Solomon
Britton	Goodwyn	McLendon (Bullock)	Speaks
Brooks	Gordon	Martin	Steagall
Cabiness	Grant	Meade	Sullivan
Camp	Gross	Murphy	Taylor
Cates	Hain	Nettles	Thomas
Chambers	Hanby	Nichols	Turner
Cornett	Hankins	Oakley	Turnham
Daniel	Hardy	Oden	Vickers
Dickson	Harris	Perry	

—71

And the bill:

H. 1043. To extend, alter and rearrange the boundary lines and corporate limits of the town of Calera in Shelby County, Alabama, so as to include within the corporate limits of said town of Calera all territory now within such corporate limits and also certain other territory contiguous thereto.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Dodd	Johnston (Leonard)	Reynolds (Madison)
Adams	Dunn	Lee	Roberts
Bailey	Edwards	Locke	Rozelle
Barnett	Faulk	Long (Perry)	Salter
Bassett	Franklin	McClendon (Chambers)	Self
Bishop	Gilchrist	McCorquodale	Sessions
Boyd	Gilmer	McLendon (Bullock)	Shumate
Branyon	Glass	Martin	Smith (Russell)
Brewer	Goodwyn	Meade	Solomon
Britton	Gordon	Murphy	Speaks
Brooks	Grant	Nettles	Steagall
Cabiness	Gross	Nichols	Sullivan
Camp	Hain	Oakley	Taylor
Cates	Hankins	Perry	Thomas
Chambers	Hardy	Phillips	Turner
Cornett	Harris	Powell	Turnham
Daniel	Hawkins	Rast	Vickers
Dickson	Jenkins	Ray	

—71

And the bill:

H. 1044. To provide for coverage of certain employees of Walker County under the Unemployment Compensation Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Dodd	Ingram	Rast
Adams	Dunn	Jenkins	Ray
Albea	Edwards	Johnson (J. T. Tom)	Reynolds (Chambers)
Bailey	Faulk	Johnston (Leonard)	Reynolds (Madison)
Barnett	Franklin	Jones (Covington)	Roberts
Bassett	Gilchrist	Lee	Rozelle
Bevill	Gilmer	Long (Perry)	Salter
Bishop	Glass	McClendon (Chambers)	Self
Boyd	Goldthwaite	McCorquodale	Sessions
Branyon	Goodwyn	McLendon (Bullock)	Shumate
Brewer	Gordon	Martin	Smith (Russell)
Britton	Grant	Meade	Smith (St. Clair)
Broadfoot	Gross	Merrill	Speaks
Brooks	Hain	Murphy	Steagall
Cabiness	Hanby	Nettles	Sullivan
Camp	Hankins	Nichols	Taylor
Cates	Hardy	Oakley	Thomas
Chambers	Harris	Perry	Turner
Cornett	Harvey	Phillips	Turnham
Daniel	Hawkins	Powell	Vickers
Dickson			

—81

And the bill:

H. 1046. To provide for the relief of George W. Dean by Montgomery County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Dodd	Ingram	Powell
Adams	Dunn	Jenkins	Rast
Albea	Edwards	Johnson (J. T. Tom)	Ray
Avery	Faulk	Johnston (Leonard)	Reynolds (Chambers)
Bailey	Franklin	Jones (Covington)	Reynolds (Madison)
Barnett	Gilchrist	Lee	Roberts
Bassett	Gilmer	Long (Perry)	Rozelle
Bishop	Glass	McLendon (Bullock)	Salter
Boyd	Goodwyn	Martin	Self
Brewer	Gordon	Meade	Sessions
Britton	Grant	Merrill	Smith (Russell)
Brooks	Gross	Murphy	Smith (St. Clair)
Cabiness	Hain	Nettles	Steagall
Camp	Hanby	Nichols	Taylor
Cates	Hankins	Oakley	Thomas
Chambers	Hardy	Owens	Turner
Cornett	Harris	Perry	Turnham
Daniel	Harvey	Phillips	Vickers
Dickson	Hawkins	Pierce	

—75

And the bill:

H. 1041. To authorize the sheriff of any county having a population of not less than 15,300 nor more than 15,400 to employ an additional deputy upon approval of the county governing body and to provide for and regulate the payment of compensation to such deputy.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Camp	Gilchrist	Harris
Adams	Casey	Gilmer	Harvey
Albea	Cates	Glass	Hawkins
Avery	Chambers	Goodwyn	Ingram
Bailey	Cornett	Gordon	Johnson (J. T. Tom)
Barnett	Daniel	Grant	Johnston (Leonard)
Bishop	Dickson	Gross	Jones (Covington)
Boyd	Dodd	Guthrie	Lee
Brewer	Dunn	Hain	McLendon (Bullock)
Britton	Edwards	Hanby	Martin
Brooks	Faulk	Hankins	Meade
Cabiness	Franklin	Hardy	Merrill

Murphy	Powell	Salter	Steagall
Nettles	Rast	Self	Sullivan
Nichols	Ray	Shumate	Taylor
Oakley	Reynolds (Chambers)	Smith (Russell)	Thomas
Owens	Reynolds (Madison)	Smith (St. Clair)	Turner
Perry	Roberts	Solomon	Turnham
Phillips	Rozelle	Speaks	Vickers
Pierce			

—77

And the bill:

H. 1049. To propose an amendment to the Constitution relative to the levy and collection of a special property tax for educational purposes in the city of Muscle Shoals.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Dickson	Harris	Powell
Adams	Dodd	Harvey	Pruitt
Albea	Dunn	Hawkins	Rast
Bailey	Edwards	Jenkins	Ray
Barnett	Faulk	Johnson (J. T. Tom)	Reynolds (Chambers)
Bassett	Ferguson	Johnston (Leonard)	Reynolds (Madison)
Bishop	Franklin	Lee	Rozelle
Boyd	Gilchrist	Long (Perry)	Salter
Brewer	Gilmer	McLendon (Bullock)	Self
Britton	Glass	Martin	Smith (Russell)
Broadfoot	Gordon	Meade	Smith (St. Clair)
Brooks	Grant	Merrill	Solomon
Cabiness	Gross	Murphy	Speaks
Camp	Grouby	Nettles	Steagall
Casey	Hain	Nichols	Sullivan
Cates	Hanby	Oakley	Thomas
Chambers	Hankins	Phillips	Turner
Cornett	Hardy	Pierce	Turnham
Daniel			

—73

And the bill:

H. 1052. To authorize and empower the Board of Revenue, Court of County Commissioners, or the like governing body of Talladega County, in its discretion, to provide branch offices in the City of Sylacauga for the use of the Judge of Probate, Tax Assessor, Tax Collector, Sheriff, or their clerks or deputies, or other officers of Talladega County, in the performance of their official duties and to authorize and empower the governing body of Talladega County to furnish office space, clerical assistants, equipment and supplies necessary for the proper and efficient operation of such branch offices and to adopt rules and regulations governing the operation of such branch offices and to provide for an effective date upon approval in a county-wide election.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Dodd	Hawkins	Powell
Adams	Dunn	Jenkins	Pruitt
Albea	Edwards	Johnson (J. T. Tom)	Rast
Avery	Faulk	Johnston (Leonard)	Ray
Bailey	Ferguson	Lee	Reynolds (Chambers)
Barnett	Franklin	Long (Perry)	Reynolds (Madison)
Bassett	Gilchrist	McCorquodale	Roberts
Bishop	Gilmer	McLendon (Bullock)	Rozelle
Boyd	Glass	Martin	Salter
Brewer	Goldthwaite	Meade	Self
Britton	Goodwyn	Merrill	Smith (Russell)
Brooks	Gordon	Murphy	Smith (St. Clair)
Cabiness	Grant	Nettles	Speaks
Camp	Gross	Nichols	Steagall
Casey	Hain	Oakley	Sullivan
Cates	Hanby	Owens	Thomas
Chambers	Hankins	Perry	Turner
Cornett	Hardy	Phillips	Turnham
Daniel	Harris	Pierce	Vickers
Dickson	Harvey		

—78

And the bill:

H. 460. To amend Section 353, Title 17 of the Code of Alabama 1940, which relates to numbering places in primary elections.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Dickson	Hankins	Nettles
Adams	Dodd	Hardy	Nichols
Albea	Dunn	Harris	Oakley
Bailey	Edwards	Harvey	Owens
Barnett	Faulk	Hawkins	Perry
Bassett	Ferguson	Ingram	Phillips
Bishop	Franklin	Jenkins	Pierce
Boyd	Gilchrist	Johnson (J. T. Tom)	Powell
Brewer	Gilmer	Johnston (Leonard)	Pruitt
Britton	Glass	Lee	Rast
Brooks	Goldthwaite	Long (Perry)	Ray
Cabiness	Goodwyn	McCorquodale	Reynolds (Madison)
Camp	Gordon	McLendon (Bullock)	Rozelle
Cates	Grant	Martin	Salter
Chambers	Gross	Meade	Self
Cornett	Hain	Merrill	Smith (Russell)
Daniel	Hanby	Murphy	Smith (St. Clair)

Speaks
Steagall

Sullivan
Thomas

Turner

Turnham

—74

And the bill:

H. 983. To alter and extend the boundaries of the City of Birmingham.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Dodd	Hawkins	Pruitt
Adams	Dunn	Ingram	Rast
Albea	Edwards	Johnson (J. T. Tom)	Ray
Bailey	Faulk	Johnston (Leonard)	Reynolds (Madison)
Barnett	Franklin	Lee	Rozelle
Bassett	Gilchrist	Long (Perry)	Salter
Bishop	Gilmer	McCorquodale	Self
Boyd	Glass	McLendon (Bullock)	Sessions
Branyon	Goldthwaite	Martin	Shumate
Brewer	Goodwyn	Meade	Smith (Russell)
Britton	Gordon	Merrill	Smith (St. Clair)
Broadfoot	Grant	Murphy	Solomon
Brooks	Gross	Nettles	Speaks
Cabiness	Guthrie	Nichols	Steagall
Camp	Hain	Oakley	Sullivan
Cates	Hanby	Owens	Thomas
Chambers	Hankins	Perry	Turner
Cornett	Hardy	Phillips	Turnham
Daniel	Harris	Pierce	Vickers
Dickson	Harvey	Powell	

—79

And the bill:

H. 1161. To make an additional appropriation for payment of expenses of the Legislature.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 1.

Yeas:

Mr. Speaker	Branyon	Cates	Franklin
Adams	Brewer	Chambers	Gilchrist
Albea	Britton	Cornett	Gilmer
Bailey	Broadfoot	Daniel	Glass
Barnett	Brooks	Dickson	Goldthwaite
Bassett	Cabiness	Dodd	Goodwyn
Bishop	Camp	Dunn	Gordon
Boyd	Casey	Edwards	Grant

Gross	Lee	Oakley	Sessions
Guthrie	Long (Lauderdale)	Owens	Shumate
Hain	Long (Perry)	Phillips	Smith (Russell)
Hanby	McClendon (Chambers)	Pierce	Smith (St. Clair)
Hankins	McCorquodale	Powell	Solomon
Hardy	McLendon (Bullock)	Pruitt	Speaks
Harris	Martin	Rast	Steagall
Harvey	Meade	Ray	Sullivan
Hawkins	Merrill	Reynolds (Madison)	Taylor
Ingram	Murphy	Rozelle	Thomas
Jenkins	Nettles	Salter	Turner
Johnson (J. T. Tom)	Nichols	Self	Vickers
Johnston (Leonard)			

—81

Nay:

Mr. Perry

—1

And the bill:

H. 949. For the relief of A. L. Gordon; authorizing the board of revenue, court of county commissioners, or other like governing body of Lawrence County to appropriate county funds for that purpose.

Was taken up.

Mr. Dodd offered the following amendment to the bill, H. 949:

AMENDMENT TO H. B. 949

In Section 1, first sentence, strike out the words "and directed".

And the amendment was adopted.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Daniel	Harris	Oakley
Adams	Dickson	Harvey	Owens
Albea	Dodd	Ingram	Perry
Bailey	Dunn	Jenkins	Phillips
Barnett	Edwards	Johnson (J. T. Tom)	Pierce
Bassett	Franklin	Johnston (Leonard)	Powell
Bishop	Gilchrist	Lee	Pruitt
Boyd	Gilmer	Locke	Rast
Branyon	Glass	Long (Perry)	Ray
Britton	Goldthwaite	McClendon (Chambers)	Reynolds (Madison)
Broadfoot	Goodwyn	McCorquodale	Rozelle
Brooks	Crant	McLendon (Bullock)	Salter
Cabiness	Gross	Martin	Self
Camp	Guthrie	Meade	Sessions
Casey	Hain	Merrill	Shumate
Cates	Hanby	Murphy	Smith (Russell)
Chambers	Hankins	Nettles	Smith (St. Clair)
Cornett	Hardy	Nichols	Solomon

Speaks
Steagall

Sullivan
Taylor

Thomas
Turner

Vickers

—79

And said bill, H. 949, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Dodd	Jenkins	Rast
Adams	Dunn	Johnson (J. T. Tom)	Ray
Albea	Edwards	Lee	Reynolds (Madison)
Bailey	Franklin	Locke	Roberts
Barnett	Gilchrist	Long (Perry)	Rozelle
Bassett	Gilmer	McClendon (Chambers)	Salter
Bishop	Glass	McCorquodale	Self
Boyd	Goldthwaite	Meade	Sessions
Branyon	Goodwyn	Merrill	Smith (Russell)
Britton	Grant	Murphy	Smith (St. Clair)
Broadfoot	Gross	Nettles	Solomon
Brooks	Guthrie	Nichols	Speaks
Cabiness	Hain	Oakley	Steagall
Camp	Hanby	Owens	Sullivan
Casey	Hankins	Perry	Taylor
Cates	Hardy	Phillips	Thomas
Chambers	Harris	Pierce	Turner
Daniel	Harvey	Powell	Vickers
Dickson	Hawkins	Pruitt	

—75

And the bill:

S. 356. To provide further for the compensation of the members of the county governing body in all counties having a population of not less than 24,600 nor more than 25,300, according to the last or any subsequent federal decennial census.

Was read a third time at length and passed.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Cates	Grant	Lee
Adams	Chambers	Gross	Long (Perry)
Albea	Cornett	Guthrie	McClendon (Chambers)
Bailey	Daniel	Hain	McCorquodale
Barnett	Dickson	Hanby	McLendon (Bullock)
Bassett	Dodd	Hankins	Martin
Bishop	Dunn	Hardy	Meade
Boyd	Edwards	Harvey	Merrill
Britton	Faulk	Hawkins	Murphy
Brooks	Franklin	Ingram	Nettles
Cabiness	Gilmer	Jenkins	Nichols
Camp	Glass	Johnson (J. T. Tom)	Oakley
Casey	Goodwyn	Johnston (Leonard)	Owens

Perry	Reynolds (Madison)	Smith (Russell)	Sullivan
Phillips	Rozelle	Smith (St. Clair)	Taylor
Pierce	Salter	Solomon	Thomas
Powell	Self	Speaks	Turner
Pruitt	Sessions	Steagall	Vickers
Rast			

—73

H. 1058 INDEFINITELY POSTPONED

On motion of Mr. Thomas, the bill, H. 1058, was indefinitely postponed.

And the bill:

H. 1059. To provide for the relief of Charlie Day; authorizing an appropriation from the funds of Barbour County for such purpose.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Dodd	Ingram	Pierce
Adams	Dunn	Johnson (J. T. Tom)	Powell
Albea	Edwards	Johnston (Leonard)	Pruitt
Bailey	Faulk	Lee	Rast
Barnett	Ferguson	Locke	Reynolds (Madison)
Bassett	Franklin	Long (Perry)	Rozelle
Bishop	Gilmer	McClendon (Chambers)	Salter
Boyd	Glass	McCorquodale	Self
Branyon	Goodwyn	McLendon (Bullock)	Smith (Russell)
Britton	Grant	Martin	Smith (St. Clair)
Brooks	Gross	Meade	Solomon
Camp	Guthrie	Merrill	Speaks
Casey	Hain	Murphy	Steagall
Cates	Hanby	Nettles	Sullivan
Chambers	Hankins	Nichols	Taylor
Cornett	Hardy	Oakley	Thomas
Daniel	Harvey	Owens	Turner
Dickson	Hawkins	Perry	Vickers

—72

And the bill:

S. 353. To repeal Act No. 256, S. 318, approved July 19, 1951, entitled "An Act Authorizing the governing body of any county having a population of not less than 28,000, and not more than 42,000 inhabitants and two courthouses, and the county governing body of such county is a board of revenue, to authorize the circuit clerk to appoint an additional deputy, whose salary shall be paid by the county." (Acts of Alabama 1950-1951, Vol. I, p. 538).

Was read a third time at length and passed.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Dodd	Ingram	Perry
Adams	Dunn	Jenkins	Pierce
Albea	Edwards	Johnson (J. T. Tom)	Powell
Bailey	Ferguson	Johnston (Leonard)	Pruitt
Barnett	Franklin	Lee	Rast
Bassett	Gilmer	Locke	Reynolds (Madison)
Bishop	Glass	Long (Perry)	Salter
Boyd	Goodwyn	McClendon (Chambers)	Self
Britton	Grant	McCorquodale	Sessions
Brooks	Gross	McLendon (Bullock)	Shumate
Cabiness	Guthrie	Martin	Smith (Russell)
Camp	Hain	Meade	Solomon
Casey	Hanby	Merrill	Speaks
Cates	Hankins	Murphy	Steagall
Chambers	Hardy	Nettles	Sullivan
Cornett	Harvey	Nichols	Taylor
Daniel	Hawkins	Oakley	Thomas
Dickson	Hearn	Owens	Turner

—72

H. 1060 INDEFINITELY POSTPONED

On motion of Mr. Thomas, the bill, H. 1060, was indefinitely postponed.

And the bill:

H. 1057. To direct and require the commissioner of revenue and the state department of revenue to collect any sales and use taxes now or hereafter levied in the town of Berry, Fayette County, under the provisions of any ordinance or resolution duly promulgated and adopted by the governing body of said town; to prescribe the powers, duties, and authority of the commissioner of revenue, the state department of revenue, and the comptroller with respect to the method or procedure for collecting such taxes and remitting the proceeds thereof.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

Messrs.	Dodd	Ingram	Powell
Adams	Dunn	Jenkins	Pruitt
Albea	Faulk	Johnston (Leonard)	Ramey
Bailey	Ferguson	Lee	Rast
Barnett	Franklin	Long (Perry)	Ray
Bassett	Gilmer	McClendon (Chambers)	Reynolds (Madison)
Bishop	Glass	McCorquodale	Salter
Boyd	Goodwyn	McLendon (Bullock)	Self
Branyon	Grant	Meade	Sessions
Britton	Gross	Merrill	Smith (Russell)
Brooks	Grouby	Murphy	Smith (St. Clair)
Cabiness	Guthrie	Nettles	Solomon
Camp	Hain	Nichols	Speaks
Casey	Hanby	Oakley	Steagall
Cates	Hankins	Owens	Sullivan
Chambers	Hardy	Perry	Taylor
Cornett	Harvey	Phillips	Thomas
Daniel	Hawkins	Pierce	Turner
Dickson			

—72

And the bill:

H. 1040. To amend Act No. 83, H. 427, Regular Session 1957, an act relating to the compensation of the coroner of Tallapoosa County (Acts of Ala. 1957, vol. I, p. 124).

Was taken up.

Messrs. Johnson (J. T. Tom) and Vickers offered the following amendment to the bill, H. 1040:

To amend House Bill 1040 by adding Section 3 after Section 2 and making Section 3 Section 4, by inserting therein Section 2 to read as follows:

The Compensation herein provided for the deputy coroner of Tallapoosa County shall be in lieu of all fees, commissions, and percentages prescribed by law for the performance of the duties of his office. In addition to the compensation of the deputy coroner as provided in Section 1, he shall be allowed the sum of \$10 a month payable from the county treasury for office and travel expense. Any fees, commissions, percentages, or allowances not payable by the County which would be collectible for the use of the deputy coroner but for the provisions of this Act shall be paid into the general fund of the county.

By amending further Section One by placing the words "and deputy coroner" after the word coroner wherever it appears.

And the amendment was adopted.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Dickson	Ingram	Pierce
Adams	Dunn	Jenkins	Powell
Albea	Faulk	Johnson (J. T. Tom)	Pruitt
Bailey	Ferguson	Johnston (Leonard)	Ramey
Barnett	Franklin	Lee	Ray
Bassett	Gilchrist	Long (Perry)	Reynolds (Chambers)
Bishop	Gilmer	McClendon (Chambers)	Reynolds (Madison)
Boyd	Glass	McCorquodale	Salter
Branyon	Goodwyn	Martin	Self
Britton	Grant	Meade	Smith (Russell)
Brooks	Gross	Merrill	Smith (St. Clair)
Cabiness	Grouby	Murphy	Solomon
Camp	Guthrie	Nettles	Speaks
Casey	Hain	Nichols	Steagall
Cates	Hanby	Oakley	Sullivan
Chambers	Hankins	Owens	Thomas
Cornett	Hardy	Phillips	Turner
Daniel	Harvey		

—70

And said bill, H. 1040, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Daniel	Hardy	Phillips
Adams	Dickson	Harvey	Pierce
Albea	Dunn	Ingram	Powell
Bailey	Edwards	Jenkins	Pruitt
Barnett	Faulk	Johnson (J. T. Tom)	Ramey
Bassett	Ferguson	Jones (Covington)	Ray
Bevill	Franklin	Lee	Reynolds (Chambers)
Bishop	Gilchrist	Long (Perry)	Reynolds (Madison)
Boyd	Gilmer	McClendon (Chambers)	Salter
Branyon	Glass	McCorquodale	Self
Britton	Goodwyn	Martin	Smith (Russell)
Brooks	Grant	Meade	Solomon
Cabiness	Gross	Merrill	Speaks
Camp	Grouby	Murphy	Steagall
Casey	Guthrie	Nettles	Sullivan
Cates	Hain	Nichols	Thomas
Chambers	Hanby	Oakley	Turner
Cornett	Hankins	Owens	Vickers

—72

And the bill:

S. 355. To authorize the county governing body of any county having a population of not less than 20,000 and not more than 25,000 inhabitants according to the 1960 census, and two courthouses, and the county governing body of such county is a board of revenue, to provide compensation for a deputy sheriff in addition to the chief deputy provided by law.

Was read a third time at length and passed.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Dickson	Hawkins	Pierce
Adams	Dunn	Ingram	Powell
Albea	Edwards	Jenkins	Pruitt
Avery	Faulk	Jones (Covington)	Ramey
Bailey	Ferguson	Lee	Ray
Barnett	Franklin	Locke	Reynolds (Madison)
Bassett	Gilchrist	Long (Perry)	Roberts
Bevill	Gilmer	McClendon (Chambers)	Salter
Bishop	Glass	McCorquodale	Self
Boyd	Goodwyn	Martin	Sessions
Branyon	Grant	Meade	Smith (Russell)
Britton	Gross	Merrill	Smith (St. Clair)
Brooks	Grouby	Murphy	Solomon
Cabiness	Guthrie	Nettles	Steagall
Camp	Hain	Nichols	Sullivan
Casey	Hanby	Oakley	Taylor
Cates	Hankins	Owens	Thomas
Chambers	Hardy	Perry	Turner
Cornett	Harvey	Phillips	Vickers
Daniel			

—77

H. 1061 INDEFINITELY POSTPONED

On motion of Mr. Thomas, the bill, H. 1061, was indefinitely postponed.

And the bill:

S. 354. Authorizing the governing body of any county having a population of not less than 20,000, and not more than 25,000 inhabitants and two courthouses, and the county governing body of such county is a board of revenue, to authorize the circuit clerk to appoint an additional deputy, whose salary shall be paid by the county.

Was read a third time at length and passed.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Cornett	Hawkins	Pierce
Adams	Daniel	Hearn	Powell
Albea	Dickson	Ingram	Pruitt
Avery	Dunn	Jenkins	Ramey
Bailey	Edwards	Johnston (Leonard)	Rast
Barnett	Faulk	Lee	Ray
Bassett	Ferguson	Locke	Reynolds (Madison)
Bevill	Franklin	Long (Perry)	Salter
Bishop	Gilchrist	McClendon (Chambers)	Self
Boyd	Gilmer	McCorquodale	Sessions
Branyon	Glass	McLendon (Bullock)	Smith (Russell)
Brewer	Goodwyn	Martin	Smith (St. Clair)
Britton	Gordon	Meade	Solomon
Brooks	Grant	Merrill	Speaks
Cabiness	Gross	Murphy	Steagall
Camp	Grouby	Nettles	Sullivan
Casey	Hain	Nichols	Taylor
Cates	Hanby	Oakley	Thomas
Chambers	Hankins	Oden	Turner
Cook	Hardy	Owens	Vickers
Copeland	Harvey	Perry	

—83

H. 1062 INDEFINITELY POSTPONED

On motion of Mr. Thomas, the bill, H. 1062, was indefinitely postponed.

And the bill:

S. 351. To repeal Act No. 255, S. 317, approved July 19, 1951 entitled "An Act To authorize the county governing body of any county having a population of not less than 28,000 and not more than 42,000 inhabitants according to the 1950 census, and two courthouses, and the county governing body of such county is a board of revenue, to provide compensation for a deputy sheriff in addition to the chief deputy provided by law." (Acts of Alabama 1950-1951, vol. I, p. 537).

Was read a third time at length and passed.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Copeland	Harvey	Ramey
Adams	Cornett	Hearn	Rast
Albea	Daniel	Ingram	Ray
Avery	Dickson	Jenkins	Reynolds (Chambers)
Bailey	Dunn	Johnson (J. T. Tom)	Reynolds (Madison)
Barnett	Edwards	Lee	Rozelle
Bassett	Faulk	Long (Perry)	Salter
Bevill	Franklin	McCorquodale	Self
Bishop	Gilchrist	McLendon (Bullock)	Sessions
Boyd	Gilmer	Martin	Smith (Russell)
Branyon	Glass	Meade	Smith (St. Clair)
Brewer	Goodwyn	Merrill	Solomon
Britton	Gordon	Murphy	Speaks
Brooks	Grant	Nettles	Steagall
Cabiness	Gross	Nichols	Sullivan
Camp	Grouby	Oakley	Taylor
Casey	Hain	Owens	Thomas
Cates	Hanby	Perry	Turner
Chambers	Hankins	Pierce	Vickers
Cook	Hardy	Powell	

—79

H. 1063 INDEFINITELY POSTPONED

On motion of Mr. Thomas, the bill, H. 1063, was indefinitely postponed.

And the bill:

S. 352. To amend further Section 257 of Title 13, Code of Alabama 1940, which fixes the compensation of deputy solicitors in certain counties.

Was read a third time at length and passed.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Cornett	Hawkins	Powell
Adams	Daniel	Hearn	Pruitt
Albea	Dickson	Ingram	Ramey
Avery	Dunn	Jenkins	Rast
Bailey	Edwards	Johnson (J. T. Tom)	Ray
Barnett	Faulk	Johnston (Leonard)	Reynolds (Madison)
Bassett	Franklin	Lee	Rozelle
Bevill	Gilchrist	Long (Perry)	Salter
Bishop	Gilmer	McCorquodale	Self
Boyd	Glass	McLendon (Bullock)	Sessions
Branyon	Goodwyn	Martin	Smith (Russell)
Brewer	Gordon	Meade	Smith (St. Clair)
Britton	Grant	Merrill	Solomon
Brooks	Gross	Murphy	Speaks
Cabiness	Grouby	Nettles	Steagall
Camp	Hain	Nichols	Sullivan
Casey	Hanby	Oakley	Taylor
Cates	Hankins	Owens	Thomas
Chambers	Hardy	Perry	Turner
Copeland	Harvey	Pierce	Vickers

—80

H. 1064 INDEFINITELY POSTPONED

On motion of Mr. Thomas, the bill, H. 1064, was indefinitely postponed.

And the bill:

H. 1065. Relating to counties having populations of not less than 40,000 nor more than 45,000 inhabitants; to direct the county governing body to adjust the compensations of certain county officers.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Daniel	Hearn	Ramey
Adams	Dickson	Ingram	Rast
Albea	Dunn	Jenkins	Ray
Avery	Edwards	Johnson (J. T. Tom)	Reynolds (Chambers)
Bailey	Faulk	Johnston (Leonard)	Reynolds (Madison)
Bassett	Franklin	Lee	Rozelle
Bevill	Gilchrist	McClendon (Chambers)	Salter
Bishop	Gilmer	McCorquodale	Self
Boyd	Glass	McLendon (Bullock)	Sessions
Branyon	Goodwyn	Martin	Smith (Russell)
Brewer	Gordon	Meade	Smith (St. Clair)
Britton	Grant	Merrill	Solomon
Brooks	Grouby	Murphy	Speaks
Cabiness	Hain	Nichols	Steagall
Camp	Hanby	Oakley	Sullivan
Casey	Hankins	Owens	Taylor
Cates	Hardy	Perry	Thomas
Chambers	Harris	Pierce	Turner
Copeland	Harvey	Powell	Turnham
Cornett	Hawkins	Pruitt	Vickers

—80

And the bill:

H. 1067. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing Mobile County under certain conditions to issue its general obligation bonds not exceeding \$1,767,000 in principal amount for various capital improvements in said county, said bonds to be additionally secured by a pledge of the special ad valorem tax provided for in Amendment XVIII to said constitution, as amended, authorizing the continued levy and collection of said tax for payment of said bonds, providing that none of the bonds which are payable out of said tax or for which said tax is pledged shall be chargeable against the limitation on indebtedness of said county contained in Section 224 of the constitution, and specifying certain details pertaining to said bonds and the sale thereof.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Daniel	Ingram	Ramey
Albea	Dickson	Jenkins	Rast
Avery	Dunn	Lee	Ray
Bailey	Edwards	Locke	Reynolds (Madison)
Bassett	Franklin	McClendon (Chambers)	Rozelle
Bevill	Gilchrist	McCorquodale	Salter
Bishop	Gilmer	McLendon (Bullock)	Self
Boyd	Glass	Martin	Sessions
Branyon	Gordon	Merrill	Smith (Russell)
Brewer	Grant	Murphy	Smith (St. Clair)
Britton	Gross	Nichols	Solomon
Brooks	Grouby	Oakley	Speaks
Cabiness	Hain	Oden	Steagall
Camp	Hanby	Owens	Sullivan
Casey	Hankins	Perry	Taylor
Cates	Hardy	Pierce	Thomas
Chambers	Harvey	Powell	Turner
Copeland	Hawkins	Pruitt	Turnham
Cornett			

—73

And the bill:

H. 1068. To repeal Act No. 429, H. 659, approved September 25, 1947, entitled "To require the tax assessor of counties having a population of not less than 140,000 and not more than 400,000 inhabitants as shown by the last or any succeeding federal census, in addition to such duties as are now required of him by law, to act in an advisory capacity to the county board of equalization, and to investigate complaints as to assessments and make reports thereon to said board, and to provide for additional compensation of the tax assessor of such counties on account of such extra duties." (Acts of Alabama 1947, page 311.)

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Cates	Grouby	Murphy
Adams	Chambers	Hain	Nichols
Albea	Copeland	Hanby	Oden
Avery	Cornett	Hankins	Owens
Bailey	Daniel	Hardy	Perry
Bassett	Dickson	Harvey	Pierce
Bevill	Edwards	Hawkins	Powell
Bishop	Faulk	Ingram	Pruitt
Boyd	Franklin	Jenkins	Rast
Branyon	Gilchrist	Johnston (Leonard)	Ray
Brewer	Gilmer	Lee	Reynolds (Madison)
Britton	Glass	McClendon (Chambers)	Rozelle
Brooks	Goodwyn	McCorquodale	Salter
Cabiness	Gordon	McLendon (Bullock)	Self
Camp	Grant	Martin	Sessions
Casey	Gross	Merrill	Smith (Russell)

Smith (St. Clair)
Solomon
Speaks

Steagall
Sullivan

Taylor
Thomas

Turner
Turnham

—73

And the bill:

H. 1069. To require, authorize and empower the governing body of all counties in this State, having a population of not less than 300,000 nor more than 500,000 by the last Federal census or by any succeeding Federal census, to levy and collect an excise, license or privilege tax on cigarettes and on every person, firm, corporation, club or association within the county, who or which sells or stores or consumes or receives for the purpose of distribution, cigarettes, and to prescribe the rate thereof; to require, authorize and empower the governing body of such counties to prescribe the method and provide for the collection of such tax; and to provide for the disposition of the revenues derived therefrom.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Cornett	Hawkins	Powell
Adams	Daniel	Hearn	Pruitt
Albea	Dickson	Ingram	Rast
Avery	Dunn	Jenkins	Ray
Bailey	Edwards	Johnston (Leonard)	Reynolds (Madison)
Bassett	Faulk	Lee	Roberts
Bevill	Franklin	Locke	Rozelle
Bishop	Gilchrist	McClendon (Chambers)	Salter
Boyd	Gilmer	McCorquodale	Self
Branyon	Glass	McLendon (Bullock)	Sessions
Brewer	Goodwyn	Merrill	Smith (Russell)
Britton	Gordon	Murphy	Smith (St. Clair)
Brooks	Grant	Nichols	Solomon
Cabiness	Gross	Oakley	Steagall
Camp	Grouby	Oden	Sullivan
Casey	Hain	Owens	Taylor
Cates	Hanby	Perry	Thomas
Chambers	Hankins	Phillips	Turner
Copeland	Hardy	Pierce	Turnham

—76

And the bill:

H. 1070. To repeal Act No. 55, H. 279, approved June 10, 1949, entitled "To require, authorize and empower the governing body of all counties in this State, having a population of not less than 140,000 nor more than 400,000 by the last Federal census or by any succeeding Federal census, to levy and collect an excise, license or privilege tax on cigarettes and on every person, firm, corporation, club or association within the county, who or which sells or stores or consumes or receives for the purpose of distribution, cigarettes, and to prescribe the rate thereof; to require, authorize and empower the governing body of such counties to prescribe the method and

provide for the collection of such tax; and to provide for the disposition of the revenues derived therefrom." (Acts of Alabama 1949, page 79).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Daniel	Hearn	Pierce
Adams	Dickson	Ingram	Powell
Albea	Dunn	Jenkins	Pruitt
Avery	Edwards	Johnston (Leonard)	Rast
Bailey	Faulk	Jones (Monroe)	Ray
Bassett	Franklin	Lee	Reynolds (Madison)
Bevill	Gilchrist	Locke	Rozelle
Bishop	Gilmer	McClendon (Chambers)	Salter
Boyd	Glass	McCorquodale	Self
Branyon	Goodwyn	McLendon (Bullock)	Sessions
Brewer	Gordon	Merrill	Smith (Russell)
Britton	Grant	Murphy	Smith (St. Clair)
Brooks	Gross	Nettles	Solomon
Cabiness	Grouby	Nichols	Steagall
Camp	Hain	Oakley	Sullivan
Casey	Hanby	Oden	Taylor
Cates	Hankins	Owens	Thomas
Chambers	Hardy	Perry	Turner
Copeland	Hawkins	Phillips	Turnham
Cornett			

—77

And the bill:

H. 1071. To require the tax assessor of counties having a population of not less than 300,000 and not more than 500,000 inhabitants as shown by the last or any succeeding federal census, in addition to such duties as are now required of him by law, to act in an advisory capacity to the county board of equalization, and to investigate complaints as to assessments and make reports thereon to said board, and to provide for additional compensation of the tax assessor of such counties on account of such extra duties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Boyd	Cates	Franklin
Adams	Branyon	Chambers	Gilchrist
Albea	Brewer	Copeland	Gilmer
Avery	Britton	Cornett	Glass
Bailey	Brooks	Daniel	Goodwyn
Bassett	Cabiness	Dickson	Gordon
Bevill	Camp	Dunn	Grant
Bishop	Casey	Edwards	Gross

Grouby	Locke	Perry	Self
Guthrie	McClendon (Chambers)	Phillips	Sessions
Hain	McCorquodale	Pierce	Smith (Russell)
Hanby	McLendon (Bullock)	Powell	Smith (St. Clair)
Hankins	Merrill	Pruitt	Solomon
Hardy	Morrow	Ramey	Steagall
Hawkins	Murphy	Rast	Sullivan
Hearn	Nettles	Ray	Taylor
Ingram	Nichols	Reynolds (Madison)	Thomas
Jenkins	Oakley	Roberts	Turner
Johnston (Leonard)	Oden	Rozelle	Turnham
Jones (Monroe)	Owens	Salter	

—79

BILLS POSTPONED

On motion of Mr. Murphy, consideration of the bills, H. 1072, H. 1073, H. 1074, H. 1075, H. 1076 and H. 1077, was postponed until the next legislative day.

And the bill:

H. 1079. To direct and require the Commissioner of Revenue and the State Department of Revenue to collect any taxes now or hereafter levied in the City of Aliceville, Pickens County, Alabama, or in the police jurisdiction thereof, which said taxes are levied by the City Council of the City of Aliceville, under the provisions of any ordinance or resolution duly promulgated and adopted by the governing body of said City, and known as a privilege or license tax against persons, firms or corporations engaging in the business of selling tangible personal property at retail in the City of Aliceville, Alabama, or within the police jurisdiction thereof, with a levy identical to the state levy for sales and use taxes, except for rate of tax; to prescribe the powers, duties and authority of the Commissioner of Revenue, the State Department of Revenue, and the Comptroller, with respect to the method or procedure for collecting such taxes and remitting the proceeds thereof.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Cabiness	Gilmer	Ingram
Adams	Camp	Glass	Jenkins
Albee	Casey	Goodwyn	Johnston (Leonard)
Avery	Cates	Gordon	Jones (Monroe)
Bailey	Chambers	Grant	Locke
Barnett	Copeland	Gross	Long (Perry)
Bassett	Cornett	Grouby	McClendon (Chambers)
Bevill	Daniel	Guthrie	McCorquodale
Bishop	Dickson	Hain	McLendon (Bullock)
Boyd	Dunn	Hanby	Merrill
Branyon	Edwards	Hankins	Morrow
Brewer	Faulk	Hardy	Nettles
Britton	Franklin	Hawkins	Nichols
Brooks	Gilchrist	Hearn	Oakley

Oden	Ramey	Salter	Steagall
Owens	Rast	Self	Sullivan
Perry	Ray	Sessions	Taylor
Phillips	Reynolds (Madison)	Smith (Russell)	Thomas
Pierce	Roberts	Smith (St. Clair)	Turner
Powell	Rozelle	Solomon	Turnham

—80

And the bill:

H. 1078. To authorize the creation of a corporation in all counties of this state having a population of not less than 300,000 to 500,000, according to the last or any subsequent Federal decennial census, to provide for the appointment of the governing body of said corporation, their term of office, compensation, and times for meeting, to require said counties and certain municipalities located within said counties to make payments to said corporation to aid in the operation of a hospital in said counties and to provide care for patients, to require said corporation to operate a hospital in said counties, to prescribe the powers and duties of said corporation, and to provide for a fiscal year for the operation of said hospital board; and to allow said counties and municipalities to use bond proceeds authorized by their voters for hospital purposes either jointly or by grant to the corporation.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Daniel	Hearn	Pierce
Adams	Dickson	Ingram	Powell
Avery	Dunn	Jenkins	Ramey
Bailey	Edwards	Johnson (J. T. Tom)	Rast
Barnett	Faulk	Johnston (Leonard)	Ray
Bassett	Franklin	Jones (Monroe)	Reynolds (Madison)
Bevill	Gilchrist	Lee	Roberts
Bishop	Gilmer	Locke	Rozelle
Boyd	Glass	Long (Perry)	Salter
Branyon	Goodwyn	McCorquodale	Self
Brewer	Gordon	McLendon (Bullock)	Smith (Russell)
Britton	Grant	Merrill	Smith (St. Clair)
Brooks	Gross	Morrow	Solomon
Cabiness	Grouby	Murphy	Steagall
Camp	Guthrie	Nettles	Sullivan
Casey	Hain	Nichols	Taylor
Cates	Hanby	Oakley	Thomas
Chambers	Hankins	Oden	Turner
Copeland	Hardy	Owens	Turnham
Cornett	Hawkins	Phillips	Vickers

—80

And the bill:

H. 1080. Proposing an Amendment to the Constitution of Alabama to authorize a hospital tax in Districts Three and Four of Tallapoosa

County and the financing of hospitals and health facilities with bonds, warrants or certificates of indebtedness issued in anticipation of the collection of such tax.

Was taken up.

Messrs. Vickers and Johnson (J. T. Tom) offered the following amendment to the bill, H. 1080:

AMENDMENT TO H. B. 1080

In the proposed constitutional amendment, strike out the words and figures "not exceeding \$5 on each \$100 assessed valuation" and insert "not exceeding 50 cents on each 100 dollars assessed valuation".

And the amendment was adopted.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Daniel	Hearn	Pierce
Adams	Dickson	Jenkins	Powell
Albea	Dunn	Johnson (J. T. Tom)	Ramey
Avery	Edwards	Johnston (Leonard)	Rast
Bailey	Faulk	Jones (Monroe)	Ray
Barnett	Ferguson	Lee	Reynolds (Madison)
Bassett	Franklin	Locke	Rozelle
Bevill	Gilchrist	Long (Perry)	Salter
Bishop	Gilmer	McClendon (Chambers)	Self
Boyd	Glass	McCorquodale	Sessions
Branyon	Goodwyn	McLendon (Bullock)	Smith (Russell)
Brewer	Gordon	Merrill	Smith (St. Clair)
Britton	Grant	Morrow	Solomon
Brooks	Gross	Murphy	Steagall
Cabiness	Grouby	Nettles	Sullivan
Camp	Guthrie	Nichols	Taylor
Casey	Hain	Oakley	Thomas
Cates	Hanby	Oden	Turner
Chambers	Hankins	Owens	Turnham
Copeland	Hardy	Perry	Vickers
Cornett	Hawkins	Phillips	

—83

And said bill, H. 1080, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Barnett	Branyon	Camp
Adams	Bassett	Brewer	Casey
Albea	Bevill	Britton	Cates
Avery	Bishop	Brooks	Chambers
Bailey	Boyd	Cabiness	Copeland

Cornett	Hain	McLendon (Bullock)	Roberts
Daniel	Hanby	Merrill	Rozelle
Dickson	Hankins	Morrow	Salter
Dunn	Hardy	Murphy	Self
Faulk	Hawkins	Nettles	Sessions
Ferguson	Hearn	Nichols	Smith (Russell)
Franklin	Ingram	Oakley	Smith (St. Clair)
Gilchrist	Jenkins	Owens	Solomon
Gilmer	Johnson (J. T. Tom)	Perry	Steagall
Glass	Johnston (Leonard)	Phillips	Sullivan
Goodwyn	Jones (Monroe)	Pierce	Taylor
Gordon	Lee	Powell	Thomas
Grant	Locke	Ramey	Turner
Gross	Long (Perry)	Rast	Turnham
Grouby	McClendon (Chambers)	Ray	Vickers
Guthrie	McCorquodale	Reynolds (Madison)	

—83

And the bill:

H. 1085. To fix the compensation of the county solicitor of Limestone County and repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Cornett	Hawkins	Pierce
Adams	Daniel	Hearn	Powell
Albea	Dickson	Ingram	Ramey
Avery	Dunn	Jenkins	Ray
Bailey	Faulk	Johnson (J. T. Tom)	Reynolds (Madison)
Barnett	Ferguson	Jones (Monroe)	Roberts
Bassett	Franklin	Lee	Rozelle
Bevill	Gilchrist	Locke	Salter
Bishop	Gilmer	Long (Perry)	Self
Boyd	Glass	McClendon (Chambers)	Sessions
Branyon	Goodwyn	McCorquodale	Smith (Russell)
Brewer	Gordon	McLendon (Bullock)	Smith (St. Clair)
Britton	Grant	Merrill	Solomon
Brooks	Gross	Murphy	Steagall
Cabiness	Grouby	Nettles	Sullivan
Camp	Guthrie	Nichols	Taylor
Casey	Hain	Oakley	Thomas
Cates	Hanby	Owens	Turner
Chambers	Hankins	Perry	Turnham
Copeland	Hardy	Phillips	Vickers

—80

And the bill:

H. 1086. To amend further Section 3 of Act No. 355, H. 757, approved August 17, 1953 (Acts 1953, p. 423) an act fixing the compensation of the sheriff of Limestone County and providing for the appointment of deputies

and assistants, in relation to the number of deputies and jailers to be appointed by the sheriff.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Dickson	Jenkins	Powell
Adams	Dunn	Johnson (J. T. Tom)	Ramey
Albea	Faulk	Johnston (Leonard)	Rast
Avery	Ferguson	Jones (Monroe)	Ray
Bailey	Franklin	Lee	Reynolds (Madison)
Barnett	Gilchrist	Locke	Roberts
Bassett	Gilmer	Long (Perry)	Rozelle
Bevill	Glass	McClendon (Chambers)	Salter
Bishop	Goodwyn	McCorquodale	Self
Boyd	Gordon	McLendon (Bullock)	Sessions
Branyon	Grant	Martin	Smith (Russell)
Brewer	Gross	Merrill	Smith (St. Clair)
Britton	Grouby	Murphy	Solomon
Brooks	Guthrie	Nettles	Steagall
Cabiness	Hain	Nichols	Sullivan
Casey	Hanby	Oakley	Taylor
Cates	Hankins	Owens	Thomas
Chambers	Hardy	Perry	Turner
Copeland	Hearn	Phillips	Turnham
Cornett	Ingram	Pierce	Vickers
Daniel			

—81

And the bill:

H. 1087. To authorize the employment of an additional clerk by the circuit clerk and register in chancery of Limestone County and to provide for the compensation of such clerk.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Brewer	Faulk	Hain
Adams	Britton	Ferguson	Hanby
Albea	Brooks	Franklin	Hankins
Avery	Cabiness	Gilmer	Hardy
Bailey	Casey	Glass	Hawkins
Barnett	Cates	Goodwyn	Hearn
Bassett	Chambers	Gordon	Ingram
Bevill	Copeland	Grant	Jenkins
Bishop	Daniel	Gross	Johnson (J. T. Tom)
Boyd	Dickson	Grouby	Johnston (Leonard)
Branyon	Dunn	Guthrie	Jones (Monroe)

Lee	Murphy	Ramey	Smith (St. Clair)
Locke	Nettles	Rast	Solomon
Long (Perry)	Oakley	Ray	Steagall
McClendon (Chambers)	Owens	Reynolds (Madison)	Sullivan
McCorquodale	Perry	Rozelle	Taylor
McLendon (Bullock)	Phillips	Salter	Thomas
Martin	Pierce	Self	Turner
Merrill	Powell	Sessions	Vickers
Morrow			

—77

And the bill:

H. 1088. To create the Madison County Coliseum Administration Board; to prescribe its duties; to prescribe the manner of selecting and compensating the board; to make provision for the members of the board to furnish a bond; to make provision for the appointment and compensation of a coliseum manager and other employees and to authorize appropriations by the county governing body.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Dickson	Ingram	Pierce
Adams	Dunn	Jenkins	Powell
Albea	Faulk	Johnson (J. T. Tom)	Ramey
Avery	Ferguson	Johnston (Leonard)	Rast
Bailey	Franklin	Jones (Monroe)	Ray
Barnett	Gilmer	Lee	Reynolds (Madison)
Bassett	Glass	Locke	Roberts
Bevill	Goodwyn	Long (Perry)	Rozelle
Bishop	Gordon	McClendon (Chambers)	Salter
Boyd	Grant	McCorquodale	Self
Branyon	Gross	McLendon (Bullock)	Sessions
Brewer	Grouby	Merrill	Smith (St. Clair)
Britton	Guthrie	Murphy	Solomon
Brooks	Hain	Nettles	Steagall
Cabiness	Hanby	Nichols	Sullivan
Casey	Hankins	Oakley	Taylor
Cates	Hardy	Owens	Thomas
Chambers	Hawkins	Perry	Turner
Copeland	Hearn	Phillips	Vickers
Daniel			

—77

And the bill:

H. 1089. To provide additional revenue for educational purposes in Lowndes County; authorizing the court of county commissioners, board of revenue, or like county governing body, to levy, when approved at a referendum election, special county privilege license and excise taxes paralleling, at lower rates, state sales and use taxes as provided for in Act No. 100, H. 94, approved August 18, 1959, and in Article 11 of Chapter 20, Title 51, Code

of Alabama 1940, as heretofore amended and supplemented; providing for collection and enforcement of such taxes by the state department of revenue.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Daniel	Hearn	Pierce
Adams	Dickson	Ingram	Powell
Albea	Dunn	Jenkins	Ramey
Avery	Edwards	Johnson (J. T. Tom)	Rast
Bailey	Faulk	Johnston (Leonard)	Ray
Barnett	Ferguson	Jones (Monroe)	Reynolds (Madison)
Bassett	Franklin	Lee	Roberts
Bevill	Gilmer	Locke	Rozelle
Bishop	Glass	Long (Perry)	Salter
Boyd	Goodwyn	McClendon (Chambers)	Self
Branyon	Gordon	McCorquodale	Sessions
Brewer	Grant	McLendon (Bullock)	Smith (Russell)
Britton	Gross	Merrill	Smith (St. Clair)
Brooks	Grouby	Murphy	Solomon
Cabiness	Guthrie	Nettles	Steagall
Casey	Hain	Nichols	Sullivan
Cates	Hanby	Oakley	Taylor
Chambers	Hankins	Owens	Thomas
Copeland	Hardy	Perry	Turner
Cornett	Hawkins	Phillips	Vickers

—80

And the bill:

H. 1090. To amend Section 9 of Act No. 746, H. 1075, approved September 23, 1957, entitled "An Act Relating to privilege licenses; levying an additional tax upon sellers of malt or brewed beverages who are engaged in that business in Lowndes County; providing for the assessment, collection, and use of the proceeds of the tax and for the adoption and promulgation of rules and regulations therefor by the governing body of said county; defining violations of the Act; and prescribing penalties therefor" (Acts of Alabama 1957, vol. II, p. 1178).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Bassett	Britton	Copeland
Adams	Bevill	Brooks	Cornett
Albea	Bishop	Cabiness	Daniel
Avery	Boyd	Casey	Dickson
Bailey	Branyon	Cates	Dunn
Barnett	Brewer	Chambers	Faulk

Ferguson	Hawkins	Nettles	Rozelle
Franklin	Hearn	Nichols	Salter
Gilmer	Jenkins	Oakley	Self
Glass	Johnson (J. T. Tom)	Owens	Sessions
Goodwyn	Johnston (Leonard)	Perry	Smith (Russell)
Gordon	Jones (Monroe)	Phillips	Smith (St. Clair)
Grant	Lee	Pierce	Solomon
Gross	Locke	Powell	Steagall
Grouby	Long (Perry)	Ramey	Sullivan
Guthrie	McClendon (Chambers)	Rast	Taylor
Hain	McCorquodale	Ray	Thomas
Hanby	McLendon (Bullock)	Reynolds (Madison)	Turnham
Hankins	Martin	Roberts	Vickers
Hardy	Murphy		

—78

And the bill:

H. 1091. To alter or rearrange the boundary lines of the Town of Daphne, Baldwin County, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory contiguous thereto, in Baldwin County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Daniel	Ingram	Pierce
Adams	Dickson	Jenkins	Powell
Albee	Dunn	Johnson (J. T. Tom)	Ramey
Avery	Edwards	Johnston (Leonard)	Rast
Bailey	Faulk	Jones (Monroe)	Ray
Barnett	Ferguson	Lee	Reynolds (Madison)
Bassett	Franklin	Locke	Roberts
Bevill	Gilmer	Long (Perry)	Rozelle
Bishop	Glass	McClendon (Chambers)	Salter
Boyd	Goodwyn	McCorquodale	Self
Branyon	Gordon	McLendon (Bullock)	Sessions
Brewer	Grant	Martin	Smith (Russell)
Britton	Gross	Murphy	Smith (St. Clair)
Brooks	Grouby	Nettles	Solomon
Cabiness	Guthrie	Oakley	Steagall
Casey	Hain	Owens	Taylor
Cates	Hanby	Perry	Thomas
Copeland	Hardy	Phillips	Vickers
Cornett	Hearn		

—74

And the bill:

H. 1092. To provide for the institution and prosecution of misdemeanors in the circuit court of Bibb County, Alabama, otherwise than by indictment by the grand jury; to authorize and empower the clerk of the circuit court of Bibb County to take oaths in support of complaints or

affidavits and to issue warrants of arrest thereon in such cases returnable to the circuit court of Bibb County; to authorize and empower the said clerk to receive a plea of guilty by the defendant in such cases and set, assess or fix the fine on said plea within the limits allowed by law; and to provide for the formal minute entry and/or judgment entry to be made by a judge of said court on a subsequent date without the presence of the defendant.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Daniel	Jenkins	Pierce
Adams	Dickson	Johnson (J. T. Tom)	Powell
Albea	Dunn	Johnston (Leonard)	Ramey
Avery	Edwards	Lee	Rast
Bailey	Faulk	Locke	Ray
Barnett	Ferguson	Long (Perry)	Reynolds (Madison)
Bassett	Franklin	McClendon (Chambers)	Roberts
Bevill	Gilmer	McCorquodale	Rozelle
Bishop	Glass	McLendon (Bullock)	Salter
Boyd	Goodwyn	Martin	Self
Branyon	Grant	Merrill	Sessions
Brewer	Gross	Murphy	Smith (Russell)
Britton	Grouby	Nettles	Smith (St. Clair)
Brooks	Guthrie	Nichols	Solomon
Cabiness	Hain	Oakley	Steagall
Casey	Hanby	Oden	Sullivan
Cates	Hankins	Owens	Taylor
Chambers	Hardy	Perry	Thomas
Copeland	Hearn	Phillips	Vickers
Cornett	Ingram		

—78

And the bill:

H. 1093. To provide for a solicitors law enforcement fund in any county having a population of not less than 96,000 nor more than 106,000.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Boyd	Copeland	Gilmer
Adams	Branyon	Cornett	Glass
Albea	Brewer	Daniel	Goodwyn
Avery	Britton	Dickson	Grant
Bailey	Brooks	Dunn	Gross
Barnett	Cabiness	Edwards	Grouby
Bassett	Casey	Faulk	Guthrie
Bevill	Cates	Ferguson	Hain
Bishop	Chambers	Franklin	Hanby

Hankins	McCorquodale	Phillips	Self
Hardy	McLendon (Bullock)	Pierce	Sessions
Hearn	Martin	Powell	Smith (Russell)
Ingram	Merrill	Ramey	Smith (St. Clair)
Johnson (J. T. Tom)	Murphy	Rast	Solomon
Johnston (Leonard)	Nettles	Ray	Steagall
Jones (Monroe)	Nichols	Reynolds (Chambers)	Sullivan
Lee	Oakley	Reynolds (Madison)	Taylor
Locke	Oden	Roberts	Thomas
Long (Perry)	Owens	Rozelle	Vickers
McClendon (Chambers)	Perry	Salter	

—79

And the bill:

H. 1094. To create the Madison County Coliseum Administration Board; to prescribe its duties; to prescribe the manner of selecting and compensating the board; to make provision for the members of the board to furnish a bond; to make provision for the appointment and compensation of a coliseum manager and other employees and to authorize appropriations by the county governing body.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Dickson	Jenkins	Pierce
Albea	Dunn	Johnson (J. T. Tom)	Powell
Avery	Edwards	Johnston (Leonard)	Ramey
Bailey	Faulk	Jones (Monroe)	Rast
Barnett	Ferguson	Lee	Ray
Bassett	Franklin	Locke	Reynolds (Chambers)
Bevill	Gilmer	Long (Perry)	Reynolds (Madison)
Bishop	Glass	McClendon (Chambers)	Roberts
Boyd	Goldthwaite	McCorquodale	Rozelle
Branyon	Goodwyn	McLendon (Bullock)	Salter
Brewer	Grant	Martin	Self
Britton	Gross	Merrill	Sessions
Brooks	Grouby	Murphy	Smith (Russell)
Cabiness	Guthrie	Nettles	Smith (St. Clair)
Casey	Hain	Nichols	Solomon
Cates	Hanby	Oakley	Steagall
Chambers	Hankins	Oden	Sullivan
Copeland	Hardy	Owens	Taylor
Cornett	Hearn	Perry	Thomas
Daniel	Ingram	Phillips	Vickers

—80

And the bill:

H. 1095. To authorize the clerk of the circuit court of Randolph County to take complaints and issue warrants in criminal cases for offense committed within the County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Daniel	Johnson (J. T. Tom)	Powell
Adams	Dickson	Johnston (Leonard)	Ramey
Albea	Edwards	Jones (Monroe)	Rast
Avery	Ferguson	Lee	Ray
Bailey	Franklin	Locke	Reynolds (Chambers)
Barnett	Gilmer	Long (Perry)	Reynolds (Madison)
Bassett	Glass	McClendon (Chambers)	Roberts
Bevill	Goodwyn	McCorquodale	Rozelle
Bishop	Grant	McLendon (Bullock)	Salter
Boyd	Gross	Martin	Self
Branyon	Grouby	Merrill	Sessions
Brewer	Guthrie	Murphy	Smith (Russell)
Britton	Hain	Nettles	Smith (St. Clair)
Brooks	Hanby	Nichols	Solomon
Cabiness	Hankins	Oakley	Steagall
Casey	Hardy	Oden	Sullivan
Cates	Hawkins	Owens	Taylor
Chambers	Hearn	Perry	Thomas
Copeland	Ingram	Phillips	Vickers
Cornett	Jenkins	Pierce	

—79

And the bill:

H. 1114. To authorize and provide for the payment of a monthly expense allowance for expenses incurred in the conduct and maintenance of his office and in the proper and efficient performance and discharge of his duties as such circuit judge to each circuit judge in judicial circuits in Alabama composed of one county in Alabama having a population of not less than 100,000 nor more than 135,000 inhabitants, according to the last, or any subsequent, federal decennial census, payable out of the county treasury of the county composing such judicial circuit.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Branyon	Dickson	Gross
Adams	Britton	Dunn	Grouby
Albea	Brooks	Edwards	Guthrie
Avery	Cabiness	Faulk	Hain
Bailey	Casey	Ferguson	Hanby
Barnett	Cates	Franklin	Hankins
Bassett	Chambers	Gilmer	Hardy
Bevill	Copeland	Glass	Hawkins
Bishop	Cornett	Goodwyn	Hearn
Boyd	Daniel	Grant	Ingram

Jenkins	Merrill	Ramey	Sessions
Johnson (J. T. Tom)	Murphy	Rast	Smith (Russell)
Johnston (Leonard)	Nettles	Ray	Smith (St. Clair)
Lee	Oakley	Reynolds (Chambers)	Solomon
Locke	Owens	Reynolds (Madison)	Steagall
Long (Perry)	Perry	Roberts	Sullivan
McClendon (Chambers)	Phillips	Rozelle	Taylor
McCorquodale	Pierce	Salter	Thomas
McLendon (Bullock)	Powell	Self	Vickers
Martin			

—77

And the bill:

H. 1115. To repeal Act No. 446, H. 935, approved November 13, 1959, entitled, "An Act to provide for the compensation of the deputies or clerks of the tax assessors and tax collectors of all counties having a population of not less than 47,000 nor more than 51,000, according to the most recent federal decennial census" (Acts of Alabama 1959, vol. II, p. 1140).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Cornett	Hearn	Pierce
Adams	Daniel	Ingram	Powell
Albea	Dickson	Jenkins	Ramey
Avery	Dunn	Johnson (J. T. Tom)	Rast
Bailey	Edwards	Johnston (Leonard)	Ray
Barnett	Faulk	Lee	Reynolds (Madison)
Bassett	Ferguson	Locke	Roberts
Bevill	Franklin	Long (Perry)	Rozelle
Bishop	Glass	McClendon (Chambers)	Salter
Boyd	Goodwyn	McCorquodale	Self
Branyon	Grant	McLendon (Bullock)	Sessions
Brewer	Gross	Merrill	Smith (Russell)
Britton	Grouby	Murphy	Smith (St. Clair)
Brooks	Guthrie	Nettles	Solomon
Cabiness	Hain	Nichols	Steagall
Casey	Hanby	Oakley	Sullivan
Cates	Hankins	Owens	Taylor
Chambers	Hardy	Perry	Thomas
Copeland	Hawkins	Phillips	Vickers

—76

And the bill:

H. 1117. To repeal Act No. 47, H. 61, approved April 8, 1955, entitled, "An Act to apply in all counties having a population of not less than 47,500 nor more than 52,500 inhabitants, according to the last or any subsequent federal decennial census; providing for the appointment of a deputy clerk of the circuit court of such counties; prescribing the duties, powers, and authority of such deputy, fixing his compensation and designating the method of payment and the fund from which such compensation shall be paid" (Acts of Alabama 1955, vol. I, p. 157).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Daniel	Ingram	Powell
Adams	Dickson	Jenkins	Ramey
Albea	Dunn	Johnson (J. T. Tom)	Rast
Avery	Edwards	Johnston (Leonard)	Ray
Bailey	Faulk	Lee	Reynolds (Chambers)
Barnett	Ferguson	Locke	Reynolds (Madison)
Bassett	Franklin	Long (Perry)	Roberts
Bevill	Gilmer	McClendon (Chambers)	Rozelle
Bishop	Glass	McCorquodale	Salter
Boyd	Goodwyn	McLendon (Bullock)	Self
Branyon	Grant	Merrill	Sessions
Brewer	Gross	Murphy	Smith (Russell)
Britton	Grouby	Nettles	Smith (St. Clair)
Brooks	Guthrie	Nichols	Solomon
Cabiness	Hain	Oakley	Steagall
Casey	Hanby	Owens	Sullivan
Cates	Hankins	Perry	Taylor
Chambers	Hardy	Phillips	Thomas
Copeland	Hawkins	Pierce	Vickers
Cornett	Hearn		

—78

And the bill:

H. 1152. To direct and require the commissioner of revenue and the state department of revenue to collect any sales and use taxes now or hereafter levied in the Town of Camp Hill, Tallapoosa County, Alabama, and its police jurisdiction under the provisions of any ordinance or resolution duly promulgated and adopted by the governing body of said town; to prescribe the powers, duties and authority of the commissioner of revenue, the state department of revenue, and the comptroller with respect to the method of procedure for collecting such taxes and remitting the proceeds thereof.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Boyd	Copeland	Gilmer
Adams	Branyon	Cornett	Glass
Albea	Brewer	Daniel	Goodwyn
Avery	Britton	Dickson	Grant
Bailey	Brooks	Dunn	Gross
Barnett	Cabiness	Edwards	Grouby
Bassett	Casey	Faulk	Guthrie
Bevill	Cates	Ferguson	Hain
Bishop	Chambers	Franklin	Hanby

Hankins	Long (Perry)	Perry	Self
Hardy	McClendon (Chambers)	Phillips	Sessions
Hawkins	McCorquodale	Pierce	Smith (Russell)
Hearn	McLendon (Bullock)	Powell	Smith (St. Clair)
Ingram	Martin	Ramey	Solomon
Jenkins	Merrill	Rast	Steagall
Johnson (J. T. Tom)	Murphy	Ray	Sullivan
Johnston (Leonard)	Nettles	Reynolds (Chambers)	Taylor
Jones (Monroe)	Nichols	Reynolds (Madison)	Thomas
Lee	Oakley	Rozelle	Vickers
Locke	Owens	Salter	

—79

And the bill:

H. 1047. To levy additional special privilege license and excise taxes for public school purposes in School District Two of Perry County, such taxes to parallel the state sales and use taxes provided for in Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, and Article 11, Chapter 20, Title 51, Code of Alabama 1940, as amended and supplemented; to define the term School District Two as used in this Act; to provide for the collection of such taxes by the county governing body of Perry County, and for the custody, distribution and use of the proceeds thereof; to provide for the administration and enforcement of the Act; and to prescribe penalties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Dickson	Jenkins	Powell
Adams	Dunn	Johnson (J. T. Tom)	Pruitt
Albea	Edwards	Johnston (Leonard)	Ramey
Avery	Faulk	Jones (Monroe)	Rast
Bailey	Ferguson	Lee	Ray
Barnett	Franklin	Locke	Reynolds (Chambers)
Bassett	Gilmer	Long (Perry)	Reynolds (Madison)
Bevill	Glass	McClendon (Chambers)	Roberts
Bishop	Goodwyn	McCorquodale	Rozelle
Boyd	Grant	McLendon (Bullock)	Salter
Branyon	Gross	Martin	Self
Brewer	Grouby	Merrill	Sessions
Britton	Guthrie	Murphy	Smith (Russell)
Brooks	Hain	Nettles	Smith (St. Clair)
Cabiness	Hanby	Nichols	Solomon
Casey	Hankins	Oakley	Steagall
Cates	Hardy	Owens	Sullivan
Chambers	Hawkins	Perry	Taylor
Copeland	Hearn	Phillips	Thomas
Cornett	Ingram	Pierce	Vickers
Daniel			

—81

And the bill:

H. 1048. To raise revenue for educational purposes in the school districts known as District 35 or Uniontown Beat, and District 36 or Pope's Beat, in Perry County; to provide an excise tax in such districts on bottled soft drinks; and to provide for the collection and administration of such tax.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Daniel	Jenkins	Powell
Adams	Dickson	Johnson (J. T. Tom)	Pruitt
Albea	Dunn	Johnston (Leonard)	Ramey
Avery	Edwards	Jones (Monroe)	Rast
Barnett	Faulk	Lee	Ray
Bassett	Ferguson	Locke	Reynolds (Chambers)
Bevill	Franklin	Long (Perry)	Reynolds (Madison)
Bishop	Gilmer	McClendon (Chambers)	Roberts
Boyd	Glass	McCorquodale	Rozelle
Branyon	Grant	McLendon (Bullock)	Salter
Brewer	Gross	Martin	Self
Britton	Grouby	Merrill	Sessions
Brooks	Guthrie	Murphy	Smith (Russell)
Cabiness	Hain	Nettles	Smith (St. Clair)
Camp	Hanby	Nichols	Steagall
Casey	Hankins	Oakley	Sullivan
Cates	Hardy	Owens	Taylor
Chambers	Hawkins	Perry	Thomas
Copeland	Hearn	Phillips	Vickers
Cornett	Ingram	Pierce	

—79

And the bill:

H. 1162. To fix the compensation of the coroner in any county in Alabama having a population of not less than 25,800 nor more than 26,700 according to the 1960 or any subsequent decennial federal census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Branyon	Cornett	Grant
Adams	Brewer	Daniel	Gross
Albea	Britton	Dickson	Grouby
Avery	Brooks	Dunn	Guthrie
Bailey	Cabiness	Edwards	Hain
Barnett	Camp	Faulk	Hanby
Bassett	Casey	Ferguson	Hankins
Bevill	Cates	Franklin	Hardy
Bishop	Chambers	Gilmer	Hawkins
Boyd	Copeland	Glass	Hearn

Ingram	Martin	Powell	Sessions
Jenkins	Merrill	Pruitt	Smith (Russell)
Johnston (Leonard)	Murphy	Ramey	Smith (St. Clair)
Jones (Monroe)	Nettles	Rast	Steagall
Lee	Nichols	Ray	Sullivan
Locke	Oakley	Reynolds (Madison)	Taylor
Long (Perry)	Owens	Roberts	Thomas
McClendon (Chambers)	Perry	Rozelle	Turner
McCorquodale	Phillips	Salter	Vickers
McLendon (Bullock)	Pierce	Self	

—79

And the bill:

H. 1165. To declare and designate certain state-owned lands in Colbert County as a game refuge to be known as "The Colbert County Game Sanctuary"; to close such refuge to hunting; to withdraw from the director of conservation authority to prescribe open seasons for hunting in such refuge; to provide that this Act shall be supplemental; and to prescribe penalties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Cornett	Hearn	Pierce
Adams	Daniel	Ingram	Powell
Albea	Dickson	Jenkins	Pruitt
Avery	Dunn	Johnston (Leonard)	Ramey
Bailey	Edwards	Jones (Monroe)	Rast
Barnett	Faulk	Lee	Ray
Bassett	Ferguson	Locke	Reynolds (Chambers)
Bevill	Franklin	Long (Perry)	Roberts
Bishop	Gilmer	McClendon (Chambers)	Rozelle
Boyd	Glass	McCorquodale	Salter
Branyon	Goodwyn	McLendon (Bullock)	Self
Brewer	Grant	Martin	Smith (Russell)
Britton	Cross	Merrill	Smith (St. Clair)
Brooks	Grouby	Morrow	Steagall
Cabiness	Guthrie	Murphy	Sullivan
Camp	Hain	Nettles	Taylor
Casey	Hanby	Oakley	Thomas
Cates	Hankins	Owens	Turner
Chambers	Hardy	Phillips	Vickers
Copeland	Hawkins		

—78

And the bill:

H. 1166. To alter, extend, and rearrange the boundary lines and corporate limits of the town of Clayton in Barbour County, Alabama, so as to annex certain territory to the town.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Daniel	Hearn	Phillips
Adams	Dickson	Ingram	Pierce
Albea	Dunn	Jenkins	Powell
Avery	Edwards	Johnston (Leonard)	Pruitt
Bailey	Faulk	Jones (Monroe)	Ramey
Barnett	Ferguson	Lee	Rast
Bassett	Franklin	Locke	Ray
Bevill	Gilmer	Long (Perry)	Reynolds (Chambers)
Bishop	Glass	McClendon (Chambers)	Reynolds (Madison)
Boyd	Goodwyn	McCorquodale	Roberts
Branyon	Gordon	McLendon (Bullock)	Rozelle
Brewer	Grant	Martin	Self
Britton	Gross	Meade	Smith (Russell)
Brooks	Grouby	Merrill	Smith (St. Clair)
Cabiness	Guthrie	Murphy	Steagall
Camp	Hain	Nettles	Sullivan
Casey	Hanby	Nichols	Taylor
Cates	Hankins	Oakley	Thomas
Chambers	Hardy	Owens	Turner
Copeland	Hawkins	Perry	Vickers
Cornett			

—81

And the bill:

H. 1167. To amend Act No. 155, H. 296, Regular Session 1953, an act relating to the duties and compensation of county commissioners of Bullock County (Acts of Ala. 1953, vol. I, p. 197).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Cornett	Ingram	Pierce
Adams	Daniel	Jenkins	Powell
Albea	Dickson	Johnston (Leonard)	Pruitt
Avery	Dunn	Jones (Covington)	Ramey
Bailey	Edwards	Jones (Monroe)	Rast
Barnett	Ferguson	Lee	Ray
Bassett	Franklin	Locke	Reynolds (Chambers)
Bevill	Gilmer	Long (Perry)	Reynolds (Madison)
Bishop	Glass	McClendon (Chambers)	Roberts
Boyd	Gordon	McCorquodale	Rozelle
Branyon	Grant	McLendon (Bullock)	Salter
Brewer	Gross	Martin	Self
Britton	Grouby	Meade	Smith (Russell)
Brooks	Guthrie	Merrill	Steagall
Cabiness	Hain	Murphy	Sullivan
Camp	Hanby	Nettles	Taylor
Casey	Hankins	Oakley	Thomas
Cates	Hardy	Owens	Turner
Chambers	Hawkins	Perry	Vickers
Copeland	Hearn	Phillips	

—79

And the bill:

H. 1168. To provide for the City of Muscle Shoals, Alabama, a civil service system governing the appointment, removal, salaries, tenure, and official conduct of employees of the police department, and City clerk's office of the city; defining violations of the Act, and imposing penalties for violations.

Was taken up.

Mr. Bishop offered the following amendment to the bill, H. 1168:

AMENDMENT TO H. B. 1168

Strike out Section 22 and substitute in lieu thereof the following:

Section 22. The substantial provisions of this Act shall become effective only if approved by a majority of the qualified electors of the City of Muscle Shoals voting at a referendum to be held on the date of the first election held in such city after the passage of this Act. The governing body of the city shall order and provide for the holding of the referendum on such date. On the ballots to be used at the election the question shall be stated substantially as follows: "Shall the provisions of H. B. No. _____ enacted at the 1961 Regular Session of the Legislature which provides a civil service system for the City of Muscle Shoals, be adopted? Yes () No ()." If a majority of the votes cast in the election are "Yes," the provisions of this Act shall become operative as to such city immediately. If the majority are "No," this Act shall have no effect as to such city. The mayor or other chief executive officer of the city shall certify the results of the election to the Secretary of State of the State of Alabama not later than 30 days after the returns of the election have been canvassed.

And the amendment was adopted.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Daniel	Jenkins	Powell
Adams	Dickson	Johnston (Leonard)	Pruitt
Albea	Dunn	Jones (Covington)	Ramey
Avery	Edwards	Jones (Monroe)	Rast
Bailey	Ferguson	Lee	Ray
Barnett	Franklin	Locke	Reynolds (Chambers)
Bassett	Gilmer	Long (Perry)	Reynolds (Madison)
Bevill	Glass	McClendon (Chambers)	Roberts
Bishop	Goodwyn	McCorquodale	Rozelle
Boyd	Gordon	McLendon (Bullock)	Salter
Branyon	Grant	Martin	Self
Brewer	Gross	Meade	Sessions
Britton	Grouby	Merrill	Smith (Russell)
Brooks	Guthrie	Murphy	Smith (St. Clair)
Cabiness	Hain	Nettles	Steagall
Camp	Hanby	Oakley	Sullivan
Casey	Hankins	Owens	Taylor
Cates	Hardy	Perry	Thomas
Chambers	Hawkins	Phillips	Turner
Copeland	Ingram	Pierce	Vickers
Cornett			

And said bill, H. 1168, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Daniel	Jenkins	Pruitt
Adams	Dickson	Johnston (Leonard)	Ramey
Albea	Dunn	Lee	Rast
Avery	Ferguson	Locke	Ray
Bailey	Franklin	Long (Perry)	Reynolds (Chambers)
Barnett	Gilmer	McClendon (Chambers)	Reynolds (Madison)
Bassett	Glass	McCorquodale	Roberts
Bevill	Goodwyn	McLendon (Butlock)	Rozelle
Bishop	Gordon	Martin	Salter
Boyd	Grant	Meade	Self
Branyon	Gross	Merrill	Sessions
Brewer	Grouby	Murphy	Shumate
Britton	Guthrie	Nettles	Smith (Russell)
Brooks	Hain	Nichols	Smith (St. Clair)
Cabiness	Hanby	Oakley	Steagall
Camp	Hankins	Owens	Sullivan
Casey	Hardy	Perry	Taylor
Cates	Hawkins	Phillips	Thomas
Chambers	Hearn	Pierce	Turner
Copeland	Ingram	Powell	Vickers
Cornett			

—81

And the bill:

H. 1169. To amend Sections 7, 9 and 11 of Act No. 328, H. 854, approved October 29, 1959, An Act to create in the City of Tuscaloosa, Alabama, a fund to be known as the Firemen's and Policemen's Pension and Relief Fund, so as to require additional contribution to the fund by each fireman and policeman eligible to participate in the fund; to require additional contribution to the fund out of the treasury of the city; to permit the board of trustees of the fund to employ an agent or investment counselor; to direct periodic actuarial studies of the fund; and to authorize additional investments of a portion of the fund.

Was taken up.

Messrs. Callahan and Ferguson offered the following amendment to the bill, H. 1169:

Section 11 of House Bill 1169 is amended to read as follows:

"SECTION 11. INVESTMENT OF PORTION OF FUND.

The Board of Trustees, after considering the probable demands upon the fund, may invest such portion of it as may be safely withdrawn for the purpose. Of that portion of the fund which the Board of Trustees has determined to be available for investment, not less than forty per cent (40 per cent) shall be invested, or held for investment, in interest bearing bond or securities of the United States of America, bonds of any state in the United States, any bonds lawfully issued by municipalities in the United

States, or invested in any insured savings and loan association to the extent that such investment is insured by the Federal Savings and Loan Insurance Corporation; not exceeding thirty per cent (30 per cent) of the money deemed available for investment may be invested in corporate stocks and bonds; not exceeding thirty per cent (30 per cent) of the money deemed available for investment may be invested in real estate loans, secured by a first mortgage thereon. All income from investments shall be and become a part of the fund. All securities belonging to the fund shall be deposited with the treasurer of the fund or, in the event that a financial agent has been employed, may be held by the financial agent and shall be subject to the direction and control of the Board of Trustees."

And the amendment was adopted.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Daniel	Jenkins	Powell
Adams	Dickson	Johnston (Leonard)	Pruitt
Albea	Dunn	Jones (Covington)	Ramey
Avery	Ferguson	Jones (Monroe)	Rast
Bailey	Franklin	Lee	Ray
Barnett	Gilmer	Locke	Reynolds (Madison)
Bassett	Glass	Long (Perry)	Roberts
Bevill	Goodwyn	McClendon (Chambers)	Rozelle
Bishop	Gordon	McCorquodale	Salter
Boyd	Grant	McLendon (Bullock)	Self
Branyon	Gross	Meade	Sessions
Brewer	Grouby	Merrill	Shumate
Britton	Guthrie	Murphy	Smith (Russell)
Brooks	Hain	Nettles	Smith (St. Clair)
Cabiness	Hanby	Nichols	Steagall
Camp	Hankins	Oakley	Sullivan
Casey	Hardy	Owens	Taylor
Cates	Hawkins	Perry	Thomas
Chambers	Hearn	Phillips	Turner
Copeland	Ingram	Pierce	Vickers
Cornett			

—80

And said bill, H. 1169, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Brewer	Dickson	Guthrie
Adams	Britton	Dunn	Hain
Albea	Brooks	Ferguson	Hanby
Avery	Cabiness	Franklin	Hankins
Bailey	Camp	Gilmer	Hardy
Barnett	Casey	Glass	Hawkins
Bassett	Cates	Goodwyn	Hearn
Bevill	Chambers	Gordon	Ingram
Bishop	Copeland	Grant	Jenkins
Boyd	Cornett	Gross	Johnston (Leonard)
Branyon	Daniel	Grouby	Jones (Covington)

Jones (Monroe)	Nettles	Rast	Smith (Russell)
Lee	Nichols	Ray	Smith (St. Clair)
Locke	Oakley	Reynolds (Madison)	Steagall
Long (Perry)	Owens	Roberts	Sullivan
McCorquodale	Perry	Rozelle	Taylor
McLendon (Bullock)	Pierce	Salter	Thomas
Meade	Powell	Self	Turner
Merrill	Pruitt	Sessions	Vickers
Murphy	Ramey		

—78

And the bill:

H. 1170. To alter the corporate limits of the City of Tuscaloosa, and to rearrange and define the boundaries thereof.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Daniel	Johnston (Leonard)	Ramey
Adams	Dickson	Jones (Covington)	Rast
Albea	Dunn	Jones (Monroe)	Ray
Avery	Ferguson	Lee	Reynolds (Chambers)
Bailey	Franklin	Locke	Reynolds (Madison)
Barnett	Gilmer	Long (Perry)	Roberts
Bassett	Glass	McClendon (Chambers)	Rozelle
Bevill	Goodwyn	McCorquodale	Salter
Bishop	Gordon	McLendon (Bullock)	Self
Boyd	Grant	Meade	Sessions
Branyon	Gross	Merrill	Shumate
Brewer	Grouby	Murphy	Smith (Russell)
Britton	Guthrie	Nettles	Smith (St. Clair)
Brooks	Hain	Nichols	Solomon
Cabiness	Hankins	Oakley	Steagall
Camp	Hardy	Owens	Sullivan
Casey	Hawkins	Perry	Taylor
Cates	Hearn	Phillips	Thomas
Chambers	Ingram	Pierce	Turner
Copeland	Jenkins	Powell	Turnham
Cornett	Johnson (J. T. Tom)	Pruitt	Vickers

—84

And the bill:

H. 1171. To extend the boundary lines of the City of Decatur, in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Cornett	Jenkins	Pierce
Adams	Daniel	Johnson (J. T. Tom)	Powell
Albea	Dickson	Johnston (Leonard)	Ramey
Bailey	Dunn	Jones (Covington)	Ray
Barnett	Franklin	Jones (Monroe)	Reynolds (Chambers)
Bassett	Gilmer	Lee	Rozelle
Bevill	Glass	McClendon (Chambers)	Salter
Bishop	Goodwyn	McCorquodale	Self
Boyd	Gordon	McLendon (Bullock)	Sessions
Branyon	Grant	Meade	Shumate
Britton	Gross	Merrill	Smith (St. Clair)
Brooks	Grouby	Murphy	Solomon
Cabiness	Guthrie	Nettles	Steagall
Camp	Hain	Nichols	Sullivan
Casey	Hankins	Oakley	Taylor
Cates	Hardy	Owens	Thomas
Chambers	Hawkins	Perry	Turner
Copeland	Ingram	Phillips	Vickers

—72

And the bill:

H. 1172. To extend the boundary lines of the City of Decatur in Morgan County, Alabama, so as to include within the boundaries of said municipality certain additional territory.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Cornett	Ingram	Phillips
Adams	Daniel	Johnson (Hardaway)	Pierce
Albea	Dodd	Johnson (J. T. Tom)	Powell
Avery	Faulk	Jones (Covington)	Pruitt
Bailey	Ferguson	Jones (Monroe)	Ramey
Barnett	Gilchrist	Locke	Rast
Bassett	Gilmer	Long (Lauderdale)	Ray
Bevill	Goldthwaite	Long (Perry)	Rogers
Bishop	Goodwyn	McClendon (Chambers)	Rozelle
Branyon	Gordon	McCorquodale	Sessions
Brewer	Grant	Martin	Smith (Russell)
Broadfoot	Gross	Meade	Smith (St. Clair)
Brooks	Grouby	Morrow	Speaks
Callahan	Guthrie	Murphy	Steagall
Camp	Hanby	Nettles	Sullivan
Casey	Hankins	Nichols	Taylor
Cates	Harvey	Oden	Trimmier
Cook	Hawkins	Owens	Turnham
Copeland	Hearn	Perry	

—75

And the bill:

H. 1173. To repeal Act No. 221, H. 577, Regular Session 1959, an act providing that cities having populations of not less than 20,000 nor more than 23,000 may enact ordinances to establish and maintain general systems of pensions and retirements for the benefit of their regular employees (Acts of Alabama 1959, vol. 1, p. 759).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Cornett	Johnson (J. T. Tom)	Powell
Adams	Daniel	Johnston (Leonard)	Pruitt
Albea	Dickson	Jones (Covington)	Ramey
Avery	Dunn	Jones (Monroe)	Ray
Bailey	Ferguson	Lee	Reynolds (Chambers)
Barnett	Franklin	Locke	Reynolds (Madison)
Bassett	Gilmer	Long (Perry)	Roberts
Bevill	Glass	McClendon (Chambers)	Rozelle
Bishop	Goodwyn	McCorquodale	Salter
Boyd	Gordon	McLendon (Bullock)	Self
Branyon	Grant	Meade	Sessions
Brewer	Gross	Merrill	Shumate
Britton	Grouby	Murphy	Smith (St. Clair)
Brooks	Guthrie	Nettles	Solomon
Cabiness	Hain	Nichols	Steagall
Camp	Hankins	Oakley	Sullivan
Casey	Hardy	Owens	Taylor
Cates	Hawkins	Perry	Thomas
Chambers	Hearn	Phillips	Turner
Copeland	Ingram	Pierce	Vickers

—80

And the bill:

H. 1174. To authorize all cities in the State of Alabama having a population exceeding 28,000 and not exceeding 30,000 inhabitants, according to the 1960 or any succeeding regular decennial Federal Census, or which shall hereafter have such population according to any such census that may hereafter be taken, to enact ordinances to establish and maintain a general system of pensions and retirements, including allowances payable on retirement for age or disability, or benefits on separation from service, for the benefit of their regular employees whose salaries are paid on a monthly basis, with necessary classification and terms of admission; and providing that upon the establishment of any system of pensions and retirements such employees theretofore or thereafter appointed shall be eligible, subject to such exceptions, limitations and restrictions as deemed expedient, to admission to such system; to authorize such ordinances to prescribe the manner in which the system may be conducted and its funds collected and distributed; to authorize such cities enacting such ordinances to establish such board for the administration of the fund as is deemed expedient, and to permit the governing body of the city to serve as such board; to require the participating employees and the city to contribute to the funds of such retirement system and to provide for the fixing of the rates of contribution; to require the board to have prepared annually actuarial valuation of the assets and liabilities of the system and to permit,

on the basis of such valuation, increase or decrease in the rates of contribution; to require such pension or retirement system organized under the provisions of this act to create and maintain reserves, calculated to be adequate to cover the liabilities on account of benefits payable under the ordinances, except that the provisions of this act shall not be applicable to any retirement system heretofore established by local act of the Alabama Legislature, on the basis of an interest rate not in excess of four per centum per annum, and mortality disability and other experience tables, or a similar group of employees; to authorize the reserves required in respect of service rendered or benefits granted prior to the date of the organization of such system under the provisions of this act to be accumulated on a basis calculated to produce a balance between the actuarial present value of the assets and the liabilities of the system within a period of not exceeding thirty years from the date of establishment of said system; to authorize the organization of a retirement system under this act to provide for the cessation, limitation or application of any former system of retirement benefits applying to persons eligible to be included in the newly organized system provided that any funds of such former system transferred to the newly organized system shall be applied first to the payment of the benefits on account of which such funds were contributed; to require that the funds of such retirement system organized under the provisions of this act constitute a trust fund to be used only for the purpose of providing the benefits of such retirement system and shall be held independently of the funds in the treasury of the city; to require that the ordinances provided for trustees, to invest and reinvest the funds of the system and the terms and restrictions in the manner of making such investments; to provide that the property of said system, the portion of wages or salary of an employee deducted or to be deducted, the right of an employee to a benefit, and all his rights in the funds of the system shall be exempt from taxation, attachment, execution or other process to satisfy any debt or liability of any employee of the system and any law relating to bankruptcy or insolvency; to provide that no assignment of any right in said funds or any benefits under the provisions of said ordinances shall be valid; to provide the time of taking effect of this act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Messrs.	Cates	Hain	Merrill
Adams	Chambers	Hankins	Murphy
Albea	Copeland	Hardy	Nettles
Avery	Cornett	Hawkins	Nichols
Bailey	Daniel	Hearn	Oakley
Barnett	Dickson	Ingram	Owens
Bassett	Dunn	Johnson (J. T. Tom)	Perry
Bevill	Ferguson	Johnston (Leonard)	Phillips
Bishop	Franklin	Jones (Covington)	Pierce
Boyd	Gilmer	Jones (Monroe)	Powell
Branyon	Glass	Lee	Pruitt
Brewer	Goodwyn	Locke	Ramey
Britton	Gordon	Long (Perry)	Ray
Brooks	Grant	McClendon (Chambers)	Reynolds (Madison)
Cabiness	Gross	McCorquodale	Roberts
Camp	Grouby	McLendon (Bullock)	Rozelle
Casey	Guthrie	Meade	Salter

Self	Smith (St. Clair)	Sullivan	Turner
Sessions	Solomon	Taylor	Vickers
Smith (Russell)	Steagall	Thomas	

—78

And the bill:

H. 1175. To alter, rearrange and extend the corporate limits of the City of Sylacauga, Talladega County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Daniel	Johnston (Leonard)	Powell
Adams	Dickson	Jones (Covington)	Pruitt
Albea	Dunn	Jones (Monroe)	Ramey
Avery	Ferguson	Lee	Ray
Bailey	Franklin	Locke	Reynolds (Chambers)
Barnett	Gilmer	Long (Perry)	Reynolds (Madison)
Bassett	Glass	McClendon (Chambers)	Roberts
Bevill	Goodwyn	McCorquodale	Rozelle
Bishop	Gordon	McLendon (Bullock)	Salter
Boyd	Grant	Martin	Self
Branyon	Gross	Meade	Sessions
Brewer	Grouby	Merrill	Shumate
Britton	Guthrie	Murphy	Smith (Russell)
Brooks	Hain	Nettles	Smith (St. Clair)
Cabiness	Hankins	Nichols	Solomon
Camp	Hardy	Oakley	Steagall
Casey	Hawkins	Owens	Taylor
Cates	Hearn	Perry	Thomas
Chambers	Ingram	Phillips	Turner
Copeland	Jenkins	Pierce	Vickers
Cornett	Johnson (J. T. Tom)		

—82

And the bill:

H. 1176. To alter, rearrange and extend the corporate limits of the City of Sylacauga, Talladega County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Bailey	Bishop	Britton
Adams	Barnett	Boyd	Brooks
Albea	Bassett	Branyon	Cabiness
Avery	Bevill	Brewer	Camp

Casey	Grouby	McClendon (Chambers)	Reynolds (Chambers)
Cates	Guthrie	McCorquodale	Reynolds (Madison)
Chambers	Hain	McLendon (Bullock)	Rozelle
Copeland	Hankins	Martin	Salter
Cornett	Hardy	Meade	Self
Daniel	Hawkins	Merrill	Sessions
Dickson	Hearn	Murphy	Shumate
Dunn	Ingram	Nettles	Smith (Russell)
Ferguson	Jenkins	Oakley	Smith (St. Clair)
Franklin	Johnson (J. T. Tom)	Owens	Solomon
Gilmer	Johnston (Leonard)	Perry	Steagall
Glass	Jones (Covington)	Phillips	Taylor
Goodwyn	Jones (Monroe)	Pierce	Thomas
Gordon	Lee	Powell	Turner
Grant	Locke	Ramey	Vickers
Gross	Long (Perry)	Ray	

—79

And the bill:

H. 1178. To provide that in all counties having populations of not less than 200,000 and not more than 300,000, according to the 1960 or any subsequent federal decennial census, the governing body of the county shall be authorized to close the offices of all officials, except those of the board of registrars, in their respective courthouses and any annex to such courthouse on certain days.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Daniel	Johnson (J. T. Tom)	Powell
Adams	Dickson	Johnston (Leonard)	Pruitt
Albea	Dunn	Jones (Covington)	Ramey
Avery	Ferguson	Jones (Monroe)	Ray
Bailey	Franklin	Lee	Reynolds (Chambers)
Barnett	Gilmer	Locke	Reynolds (Madison)
Bassett	Glass	Long (Perry)	Roberts
Bevill	Goodwyn	McClendon (Chambers)	Rozelle
Bishop	Gordon	McCorquodale	Salter
Boyd	Grant	McLendon (Bullock)	Self
Branyon	Gross	Martin	Sessions
Brewer	Grouby	Meade	Shumate
Britton	Guthrie	Merrill	Smith (Russell)
Brooks	Hain	Murphy	Smith (St. Clair)
Cabiness	Hankins	Nettles	Solomon
Camp	Hardy	Oakley	Steagall
Casey	Hawkins	Owens	Taylor
Cates	Hearn	Perry	Thomas
Chambers	Ingram	Phillips	Turner
Copeland	Jenkins	Pierce	Vickers
Cornett			

—81

And the bill:

H. 1179. To apply in all cities of this state having populations of not less than 200,000 and not more than 300,000, according to the 1960 or any subsequent federal decennial census; to authorize payment to the widows and children of certain decedents who had formerly been employees of such cities, or departments, or agencies thereof, of certain refunds of contributions made by such decedent to a pension, relief, or retirement fund.

Was taken up.

Mr. Murphy offered the following amendment to the bill, H. 1179:

AMENDMENT TO H. B. 1179

Amend H. B. 1179 by striking out the first sentence of Section 2 and inserting the following in lieu thereof: "The widow and children of any decedent who was at the time of his death, an employee of any city to which this Act applies, or an employee of any department or agency of any such city, or retired from such employment, and while so employed had been a member of and contributed to a pension, relief, or retirement fund for employees of such city, governed by a law which authorized a refund or the repayment of an employee's contributions to such employee upon separation from the service of the city (whether voluntary or otherwise), but who had not received such refund or repayment of his contributions during his lifetime, shall be entitled to such refund, unless such decedent had filed with the governing board of the fund a statement in writing designating a beneficiary for such refund or had disposed of such refund by will."

And the amendment was adopted.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Cornett	Jenkins	Powell
Adams	Daniel	Johnson (J. T. Tom)	Ramey
Albea	Dickson	Johnston (Leonard)	Ray
Avery	Dunn	Jones (Covington)	Reynolds (Chambers)
Bailey	Edwards	Jones (Monroe)	Reynolds (Madison)
Barnett	Ferguson	Lee	Roberts
Bassett	Franklin	Long (Perry)	Rozelle
Bevill	Gilmer	McClendon (Chambers)	Salter
Bishop	Glass	McCorquodale	Self
Boyd	Goodwyn	McLendon (Bullock)	Sessions
Branyon	Gordon	Martin	Shumate
Brewer	Grant	Meade	Smith (Russell)
Britton	Gross	Merrill	Smith (St. Clair)
Brooks	Grouby	Murphy	Solomon
Cabiness	Hain	Netties	Steagall
Camp	Hankins	Oakley	Taylor
Casey	Hardy	Owens	Thomas
Cates	Hawkins	Perry	Turner
Chambers	Hearn	Phillips	Vickers
Copeland	Ingram	Pierce	

—79

And said bill, H. 1179, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Daniel	Johnson (J. T. Tom)	Pruitt
Adams	Dickson	Johnston (Leonard)	Ramey
Albea	Dunn	Jones (Covington)	Ray
Avery	Edwards	Jones (Monroe)	Reynolds (Chambers)
Bailey	Ferguson	Lee	Reynolds (Madison)
Barnett	Franklin	Long (Perry)	Roberts
Bassett	Gilmer	McClendon (Chambers)	Rozelle
Bevill	Glass	McCorquodale	Salter
Bishop	Goodwyn	McLendon (Bullock)	Self
Boyd	Gordon	Martin	Sessions
Branyon	Grant	Meade	Shumate
Brewer	Gross	Merrill	Smith (Russell)
Britton	Grouby	Murphy	Smith (St. Clair)
Brooks	Guthrie	Nettles	Solomon
Cabiness	Hain	Nichols	Steagall
Camp	Hankins	Oakley	Taylor
Casey	Hardy	Owens	Thomas
Cates	Hawkins	Perry	Trimmier
Chambers	Hearn	Phillips	Turner
Copeland	Ingram	Pierce	Vickers
Cornett	Jenkins	Powell	

—83

And the bill:

H. 1180. To amend the title and Section 2 of Act No. 346, H. 250, approved July 9, 1945, an act providing special meetings for registrars (General Acts of Alabama 1945, p. 563), so as to specify the meeting days for registrars of counties having populations of not less than 300,000 nor more than 500,000.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Casey	Gross	McCorquodale
Adams	Cates	Grouby	McLendon (Bullock)
Albea	Chambers	Guthrie	Meade
Avery	Copeland	Hain	Merrill
Bailey	Cornett	Hankins	Murphy
Barnett	Daniel	Hardy	Nettles
Bassett	Dickson	Hawkins	Nichols
Bevill	Dunn	Hearn	Oakley
Bishop	Edwards	Ingram	Owens
Boyd	Ferguson	Jenkins	Perry
Branyon	Franklin	Johnson (J. T. Tom)	Phillips
Brewer	Gilmer	Johnston (Leonard)	Pierce
Britton	Glass	Jones (Monroe)	Powell
Brooks	Goodwyn	Lee	Ramey
Cabiness	Gordon	Long (Perry)	Ray
Camp	Grant	McClendon (Chambers)	Reynolds (Chambers)

Reynolds (Madison)	Self	Solomon	Thomas
Roberts	Sessions	Steagall	Turner
Rozelle	Shumate	Taylor	Vickers
Salter	Smith (St. Clair)		

—78

And the bill:

H. 1181. To repeal Act No. 372, H. 648, approved July 6, 1945, entitled "An Act to provide additional compensation for the members of the Board of Registrars in all counties of this State having a population of not less than 140,000 nor more than 300,000 according to the last or any subsequent Federal census," (General Acts of Alabama, p. 595).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Cornett	Ingram	Pierce
Adams	Daniel	Jenkins	Powell
Albea	Dickson	Johnson (J. T. Tom)	Ramey
Avery	Dunn	Johnston (Leonard)	Ray
Bailey	Edwards	Jones (Covington)	Reynolds (Madison)
Barnett	Ferguson	Jones (Monroe)	Roberts
Bassett	Franklin	Lee	Rozelle
Bevill	Gilmer	Long (Perry)	Salter
Bishop	Glass	McClendon (Chambers)	Self
Boyd	Goodwyn	McCorquodale	Sessions
Branyon	Gordon	McLendon (Bullock)	Shumate
Brewer	Grant	Meade	Smith (Russell)
Britton	Gross	Merrill	Smith (St. Clair)
Brooks	Grouby	Murphy	Solomon
Cabiness	Guthrie	Nettles	Steagall
Camp	Hain	Nichols	Taylor
Casey	Hankins	Oakley	Thomas
Cates	Hardy	Owens	Turner
Chambers	Hawkins	Perry	Vickers
Copeland	Hearn	Phillips	

—79

And the bill:

H. 1182. To provide additional compensation for the members of the Board of Registrars in all counties of this State having a population of not less than 300,000 nor more than 500,000 according to the 1960 or any subsequent Federal census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Daniel	Hearn	Phillips
Adams	Dickson	Ingram	Pierce
Albea	Dunn	Jenkins	Powell
Avery	Edwards	Johnson (J. T. Tom)	Pruitt
Bailey	Ferguson	Johnston (Leonard)	Ramey
Barnett	Franklin	Jones (Covington)	Ray
Bassett	Gilmer	Jones (Monroe)	Roberts
Bevill	Glass	Lee	Rozelle
Bishop	Goodwyn	Locke	Salter
Boyd	Gordon	Long (Perry)	Self
Brewer	Grant	McClendon (Chambers)	Sessions
Britton	Gross	McCorquodale	Shumate
Broadfoot	Grouby	McLendon (Bullock)	Smith (Russell)
Brooks	Guthrie	Meade	Smith (St. Clair)
Cabiness	Hain	Merrill	Solomon
Camp	Hanby	Murphy	Steagall
Casey	Hankins	Nettles	Taylor
Cates	Hardy	Oakley	Thomas
Chambers	Harris	Owens	Turner
Copeland	Hawkins	Perry	Vickers
Cornett			

—81

And the bill:

H. 1183. To provide further for selection of textbooks for use in junior and senior high schools in counties having populations of not less than 150,000 nor more than 300,000; amending Section 12 of Act No. 412, S. 261, Regular Session 1945.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

*Yeas 77; Nays 0.**Yeas:*

Mr. Speaker	Dickson	Hearn	Phillips
Adams	Dunn	Ingram	Pierce
Albea	Edwards	Jenkins	Powell
Avery	Ferguson	Johnson (J. T. Tom)	Pruitt
Bailey	Franklin	Johnston (Leonard)	Ramey
Barnett	Gilmer	Jones (Monroe)	Ray
Bassett	Glass	Lee	Rozelle
Bevill	Goodwyn	Locke	Salter
Boyd	Gordon	Long (Perry)	Self
Branyon	Grant	McClendon (Chambers)	Sessions
Brewer	Gross	McCorquodale	Shumate
Britton	Grouby	McLendon (Bullock)	Smith (Russell)
Brooks	Guthrie	Meade	Smith (St. Clair)
Cabiness	Hain	Merrill	Solomon
Camp	Hanby	Murphy	Steagall
Casey	Hankins	Nettles	Taylor
Chambers	Hardy	Oakley	Thomas
Copeland	Harris	Owens	Turner
Cornett	Hawkins	Perry	Vickers
Daniel			

—77

And the bill:

H. 1184. To alter or rearrange the boundary lines of the City of Pell City, St. Clair County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits, and also certain other territory in St. Clair County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Cornett	Hearn	Pierce
Adams	Daniel	Jenkins	Powell
Albea	Dickson	Johnson (J. T. Tom)	Pruitt
Avery	Dunn	Johnston (Leonard)	Ramey
Bailey	Edwards	Jones (Monroe)	Ray
Barnett	Ferguson	Lee	Reynolds (Madison)
Bassett	Franklin	Locke	Roberts
Bevill	Gilmer	Long (Perry)	Rozelle
Bishop	Glass	McClendon (Chambers)	Salter
Boyd	Goodwyn	McCorquodale	Self
Branyon	Gordon	McLendon (Bullock)	Sessions
Brewer	Grant	Meade	Shumate
Britton	Gross	Merrill	Smith (Russell)
Broadfoot	Grouby	Murphy	Smith (St. Clair)
Brooks	Guthrie	Nettles	Solomon
Cabiness	Hain	Nichols	Steagall
Camp	Hanby	Oakley	Taylor
Casey	Hankins	Owens	Thomas
Cates	Hardy	Perry	Turner
Chambers	Hawkins	Phillips	Vickers
Copeland			

—81

And the bill:

H. 1185. To alter or rearrange the boundary lines of the Town of Springville, St. Clair County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits, and also certain other territory in St. Clair County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Bassett	Britton	Cates
Adams	Bevill	Broadfoot	Chambers
Albea	Bishop	Brooks	Copeland
Avery	Boyd	Cabiness	Cornett
Bailey	Branyon	Camp	Daniel
Barnett	Brewer	Casey	Dickson

Dunn	Hankins	Meade	Reynolds (Madison)
Edwards	Hardy	Merrill	Roberts
Ferguson	Hawkins	Murphy	Rozelle
Franklin	Hearn	Nettles	Salter
Gilmer	Jenkins	Nichols	Self
Glass	Johnson (J. T. Tom)	Oakley	Sessions
Goodwyn	Jones (Covington)	Owens	Smith (Russell)
Gordon	Jones (Monroe)	Perry	Smith (St. Clair)
Grant	Lee	Phillips	Solomon
Gross	Locke	Pierce	Steagall
Grouby	Long (Perry)	Powell	Taylor
Guthrie	McClendon (Chambers)	Pruitt	Thomas
Hain	McCorquodale	Ramey	Turner
Hanby	McLendon (Bullock)	Ray	Vickers

—80

And the bill:

H. 1190. To provide for the payment of an allowance for certain members of the court of county commissioners, board of revenue or like governing body in every county having a population of not less than 17,800 nor more than 18,700 for expenses incurred in the performance of their duties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Cornett	Hearn	Phillips
Adams	Daniel	Jenkins	Pierce
Albea	Dickson	Johnson (J. T. Tom)	Powell
Avery	Dunn	Jones (Covington)	Pruitt
Bailey	Edwards	Jones (Monroe)	Ramey
Barnett	Ferguson	Lee	Ray
Bassett	Franklin	Locke	Reynolds (Madison)
Bevill	Gilmer	Long (Perry)	Rozelle
Bishop	Glass	McClendon (Chambers)	Salter
Boyd	Goodwyn	McCorquodale	Self
Branyon	Gordon	McLendon (Bullock)	Sessions
Brewer	Grant	Meade	Shumate
Britton	Gross	Merrill	Smith (Russell)
Brooks	Grouby	Murphy	Smith (St. Clair)
Cabiness	Guthrie	Nettles	Solomon
Camp	Hain	Nichols	Steagall
Casey	Hankins	Oakley	Taylor
Cates	Hardy	Owens	Thomas
Chambers	Hawkins	Perry	Vickers
Copeland			

—77

And the bill:

H. 1191. To amend Section 8 of Act No. 273 of the Legislature of Alabama, Regular Session of 1947, approved August 7, 1947, and designated "The Civil Service Act of Dothan."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Copeland	Jenkins	Pierce
Adams	Cornett	Johnson (J. T. Tom)	Powell
Albea	Daniel	Johnston (Leonard)	Ramey
Avery	Dickson	Jones (Covington)	Ray
Bailey	Edwards	Jones (Monroe)	Reynolds (Madison)
Barnett	Ferguson	Lee	Roberts
Bassett	Franklin	Locke	Rozelle
Bevill	Gilmer	Long (Perry)	Salter
Bishop	Glass	McClendon (Chambers)	Self
Boyd	Goodwyn	McCorquodale	Sessions
Branyon	Gordon	McLendon (Bullock)	Shumate
Brewer	Gross	Meade	Smith (Russell)
Britton	Grouby	Merrill	Smith (St. Clair)
Broadfoot	Guthrie	Murphy	Solomon
Brooks	Hain	Nettles	Steagall
Cabiness	Hanby	Nichols	Taylor
Camp	Hankins	Oakley	Thomas
Casey	Hardy	Owens	Turner
Cates	Hawkins	Perry	Vickers
Chambers	Hearn	Phillips	

—79

And the bill:

H. 1192. To alter, rearrange and extend the boundary lines and corporate limits of the town of Newton in Dale County, so as to annex certain territory to the town.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Copeland	Hawkins	Perry
Adams	Daniel	Hearn	Phillips
Albea	Dickson	Jenkins	Pierce
Avery	Dunn	Johnson (J. T. Tom)	Powell
Bailey	Edwards	Johnston (Leonard)	Ramey
Barnett	Ferguson	Jones (Covington)	Ray
Bassett	Franklin	Jones (Monroe)	Reynolds (Madison)
Bevill	Gilmer	Lee	Rozelle
Bishop	Glass	Locke	Salter
Boyd	Goodwyn	Long (Perry)	Self
Branyon	Gordon	McClendon (Chambers)	Sessions
Brewer	Grant	McCorquodale	Shumate
Britton	Gross	McLendon (Bullock)	Smith (St. Clair)
Brooks	Grouby	Meade	Solomon
Cabiness	Guthrie	Merrill	Steagall
Camp	Hain	Murphy	Taylor
Casey	Hanby	Nettles	Thomas
Cates	Hankins	Oakley	Turner
Chambers	Hardy	Owens	Vickers

—76

And the bill:

H. 1193. To provide for the recording of conveyances in Barbour County, and to repeal Sections 2, 3, 4 and 5 of Act No. 270, approved February 12, 1879, Acts of Alabama 1878-79, pages 295 and 296.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Copeland	Jenkins	Powell
Adams	Cornett	Johnson (J. T. Tom)	Pruitt
Albea	Daniel	Johnston (Leonard)	Ramey
Avery	Dickson	Jones (Monroe)	Ray
Bailey	Dunn	Lee	Reynolds (Madison)
Barnett	Edwards	Locke	Roberts
Bassett	Ferguson	Long (Perry)	Rozelle
Bevill	Franklin	McClendon (Chambers)	Salter
Bishop	Gilmer	McCorquodale	Self
Boyd	Glass	McLendon (Bullock)	Sessions
Branyon	Goodwyn	Meade	Shumate
Brewer	Gordon	Merrill	Smith (Russell)
Britton	Grant	Murphy	Smith (St. Clair)
Broadfoot	Gross	Nettles	Solomon
Brooks	Guthrie	Oakley	Steagall
Cabiness	Hain	Owens	Taylor
Camp	Hankins	Perry	Thomas
Casey	Hardy	Phillips	Turner
Cates	Hawkins	Pierce	Vickers
Chambers	Hearn		

—78

And the bill:

H. 1194. To alter the corporate limits of the City of Northport, Alabama, and to rearrange and define the boundaries thereof.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Branyon	Copeland	Goodwyn
Adams	Brewer	Cornett	Gordon
Albea	Britton	Daniel	Grant
Avery	Brooks	Dickson	Gross
Bailey	Cabiness	Dunn	Guthrie
Barnett	Callahan	Edwards	Hain
Bassett	Camp	Ferguson	Hankins
Bevill	Casey	Franklin	Hardy
Bishop	Cates	Gilmer	Hawkins
Boyd	Chambers	Glass	Hearn

Jenkins	McClendon (Bullock)	Powell	Smith (Russell)
Johnson (J. T. Tom)	Meade	Ramey	Smith (St. Clair)
Johnston (Leonard)	Merrill	Ray	Solomon
Jones (Covington)	Murphy	Reynolds (Madison)	Steagall
Jones (Monroe)	Nettles	Roberts	Taylor
Lee	Oakley	Rozelle	Thomas
Locke	Owens	Salter	Torbert
Long (Perry)	Perry	Self	Turner
McClendon (Chambers)	Phillips	Sessions	Vickers
McCorquodale	Pierce	Shumate	

—79

And the bill:

H. 1222. To provide an allowance for clerk hire and expenses for the circuit court clerk of all counties having populations of not less than 16,500 nor more than 17,500.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Copeland	Hearn	Pierce
Adams	Cornett	Ingram	Powell
Albea	Daniel	Jenkins	Pruitt
Avery	Dickson	Johnson (J. T. Tom)	Ramey
Bailey	Dunn	Johnston (Leonard)	Ray
Barnett	Edwards	Jones (Monroe)	Reynolds (Madison)
Bassett	Ferguson	Lee	Roberts
Bevill	Franklin	Locke	Rozelle
Bishop	Gilmer	Long (Perry)	Salter
Boyd	Glass	McClendon (Chambers)	Self
Branyon	Goodwyn	McCorquodale	Sessions
Brewer	Gordon	McClendon (Bullock)	Shumate
Britton	Grant	Meade	Smith (Russell)
Broadfoot	Gross	Merrill	Smith (St. Clair)
Brooks	Grouby	Murphy	Solomon
Cabiness	Guthrie	Nettles	Steagall
Camp	Hain	Oakley	Taylor
Casey	Hankins	Owens	Thomas
Cates	Hardy	Perry	Turner
Chambers	Hawkins	Phillips	Vickers

—80

And the bill:

H. 1223. To create and establish in the eastern division of Barbour County (Beats 1, 2, 4, 5, 11, 14 and 16 of Barbour County) an inferior court of limited jurisdiction of criminal cases and civil actions at law, to be known as the Court of Common Pleas of Barbour County, in lieu of the Inferior Court for Precinct Five of such county; providing for the officers of such court and for their term, powers, duties, compensation and method of selection; prescribing the jurisdiction of the court, regulating its procedure and process; fixing the costs, charges and commissions collectible in

the court; and providing for the transfer of all cases pending in the Inferior Court for Precinct Five of Barbour County to the court hereby established.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Daniel	Jenkins	Pruitt
Adams	Dickson	Johnson (J. T. Tom)	Ramey
Albea	Dunn	Johnston (Leonard)	Ray
Avery	Edwards	Jones (Monroe)	Reynolds (Madison)
Bailey	Ferguson	Lee	Roberts
Barnett	Franklin	Locke	Rozelle
Bassett	Gilmer	Long (Perry)	Salter
Bevill	Glass	McClendon (Chambers)	Self
Boyd	Goodwyn	McCorquodale	Sessions
Branyon	Gordon	McLendon (Bullock)	Shumate
Brewer	Grant	Meade	Smith (Russell)
Britton	Gross	Merrill	Smith (St. Clair)
Brooks	Grouby	Murphy	Solomon
Cabiness	Guthrie	Nettles	Steagall
Camp	Hain	Oakley	Taylor
Casey	Hankins	Owens	Thomas
Cates	Hardy	Perry	Torbert
Chambers	Hawkins	Phillips	Turner
Copeland	Hearn	Pierce	Vickers
Cornett	Ingram	Powell	

—79

And the bill:

H. 1081. To further amend retrospectively Section 22 of Act No. 929 of the Legislature of Alabama of 1959, relating to cities having a population of four hundred and fifty thousand inhabitants according to the last or any succeeding federal census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Brewer	Daniel	Gross
Adams	Britton	Dickson	Grouby
Albea	Broadfoot	Dunn	Guthrie
Avery	Brooks	Edwards	Hain
Bailey	Cabiness	Ferguson	Hanby
Barnett	Camp	Franklin	Hankins
Bassett	Casey	Gilmer	Hardy
Bevill	Cates	Glass	Hawkins
Bishop	Chambers	Goodwyn	Hearn
Boyd	Copeland	Gordon	Ingram
Branyon	Cornett	Grant	Jenkins

Johnson (J. T. Tom)	Merrill	Ramey	Shumate
Johnston (Leonard)	Morrow	Rast	Smith (Russell)
Jones (Monroe)	Murphy	Ray	Smith (St. Clair)
Lee	Nichols	Reynolds (Madison)	Solomon
Locke	Oakley	Roberts	Steagall
Long (Perry)	Owens	Rozelle	Taylor
McClendon (Chambers)	Perry	Salter	Thomas
McCorquodale	Phillips	Self	Turner
McLendon (Bullock)	Pierce	Sessions	Vickers
Meade	Powell		

—82

And the bill:

H. 1082. To further provide for the collection of the sewer rentals or sewer service charges levied under the provisions of Act No. 619 of the Legislature of Alabama of 1949 (Acts of 1949, Pages 954 to 963 inclusive), by imposing the duty to collect such charges upon any City, Town, Water Board or other public corporation owning or operating any water distribution system serving three or more parcels of real property in Jefferson County, Alabama; to provide the compensation to any such Water Works Board for making such collections and to further regulate the method or methods for collection and the disposition of the collections and the reports; and to repeal all portions of any Act in conflict herewith.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Daniel	Hearn	Phillips
Adams	Dickson	Ingram	Pierce
Albee	Dunn	Jenkins	Powell
Avery	Edwards	Johnson (J. T. Tom)	Ramey
Bailey	Ferguson	Johnston (Leonard)	Rast
Barnett	Franklin	Jones (Covington)	Ray
Bassett	Gilmer	Jones (Monroe)	Reynolds (Madison)
Bevill	Glass	Lee	Roberts
Bishop	Goodwyn	Long (Perry)	Rozelle
Boyd	Gordon	McCorquodale	Salter
Branyon	Grant	McLendon (Bullock)	Self
Brewer	Gross	Meade	Sessions
Britton	Grouby	Merrill	Smith (Russell)
Brooks	Guthrie	Morrow	Smith (St. Clair)
Cabiness	Hain	Murphy	Solomon
Camp	Hanby	Nettles	Steagall
Casey	Hankins	Nichols	Taylor
Cates	Hardy	Oakley	Thomas
Chambers	Harris	Owens	Turner
Copeland	Hawkins	Perry	Vickers
Cornett			

—81

And the bill:

H. 1083. To alter and re-arrange the boundary lines of the City of Homewood, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Jefferson County, Alabama, contiguous to said City.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Daniel	Jenkins	Powell
Adams	Dickson	Johnson (J. T. Tom)	Pruitt
Albea	Dunn	Johnston (Leonard)	Ramey
Avery	Edwards	Jones (Covington)	Rast
Bailey	Ferguson	Jones (Monroe)	Ray
Barnett	Gilmer	Lee	Reynolds (Madison)
Bassett	Glass	Locke	Roberts
Bishop	Goodwyn	Long (Perry)	Rozelle
Boyd	Gordon	McClendon (Chambers)	Salter
Branyon	Grant	McCorquodale	Self
Brewer	Gross	McLendon (Bullock)	Sessions
Britton	Grouby	Meade	Smith (Russell)
Broadfoot	Guthrie	Merrill	Smith (St. Clair)
Brooks	Hain	Murphy	Solomon
Cabiness	Hankins	Nettles	Steagall
Casey	Hardy	Oakley	Taylor
Cates	Harris	Owens	Thomas
Chambers	Hawkins	Perry	Turner
Copeland	Hearn	Phillips	Vickers
Cornett	Ingram	Pierce	

—79

And the bill:

H. 1084. For the relief of Nannie Reeves, as the widow of Benjamin M. Reeves, in the sum of \$1,000.00, in that on, to-wit, September 23, 1957, while engaged in the performance of his duties as an employee of Jefferson County, Alabama, Benjamin M. Reeves suffered an injury to his right leg as a result of which he was confined to the University Hospital in Birmingham, Alabama, where he died as a result of complications following said injury on October 11, 1957.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Bassett	Brooks	Copeland
Adams	Bevill	Cabiness	Cornett
Albea	Boyd	Camp	Daniel
Avery	Branyon	Casey	Dickson
Bailey	Brewer	Cates	Dunn
Barnett	Britton	Chambers	Edwards

Ferguson	Hawkins	Morrow	Reynolds (Madison)
Franklin	Hearn	Murphy	Roberts
Gilmer	Ingram	Nettles	Rozelle
Glass	Jenkins	Nichols	Salter
Goodwyn	Johnson (J. T. Tom)	Oakley	Self
Gordon	Jones (Monroe)	Owens	Sessions
Grant	Lee	Perry	Smith (Russell)
Gross	Locke	Phillips	Smith (St. Clair)
Grouby	Long (Perry)	Pierce	Solomon
Guthrie	McClendon (Chambers)	Powell	Steagall
Hain	McCorquodale	Ramey	Taylor
Hankins	McLendon (Bullock)	Rast	Thomas
Hardy	Meade	Ray	Turner
Harris	Merrill	Reynolds (Chambers)	Vickers

—80

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Messrs. Robison, deGraffenried, Archer, Wyatt, Word, Clark, Golson, Cooper, Turner, Moses and Rutledge:

S. 144. To appropriate funds to the Department of Pensions and Security for salaries, expenses, operation and management for welfare purposes for the fiscal years ending September 30, 1962 and September 30, 1963.

Also:

By Messrs. deGraffenried, Moses, Cooper and Farmer:

S. 55. To authorize a program of medical assistance for persons 65 years of age and over not receiving old age pensions.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 144. Ways and Means

S. 55. Ways and Means

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill:

H. 151. Relating to counties having a population of not less than

115,000 nor more than 165,000 inhabitants, according to the 1960 or any subsequent federal decennial census, electing to come under the provisions of the Act as provided therein; providing a more convenient and efficient method for the registration, assessment for taxes, collection of ad valorem taxes, and sale and distribution of tags for motor vehicles, the issuance of motor vehicle drivers licenses and temporary instruction permits, and the transfer of ownership of motor vehicles; creating a motor vehicle license department in each county to which this Act is made to apply as herein provided and providing for the appointment, qualification, terms, compensation, powers, duties, and authority of the director and deputy director thereof; transferring to the motor vehicle license department, and the director thereof, all the powers, duties, responsibilities, liabilities and authority of the tax assessor, tax collector, and judge of probate relative to the registration, assessment for taxes, collection of ad valorem taxes, sale and distribution of tags for motor vehicles, the issuance of motor vehicle drivers licenses and temporary instruction permits, the transfer of ownership of motor vehicles, and the distribution of the fees, charges and commissions collected and received therefrom; providing an additional and alternative method for the registration, assessment for taxes, collection of ad valorem taxes, and sale and distribution of tags for motor vehicles; providing for clerical assistance, office space, equipment, supplies, and other conveniences necessary for the efficient operation and conduct of the motor vehicle license department; providing for the method by which a county to which this Act applies can elect to come within the provisions of said Act and the effective date thereof; providing the method by which a county may withdraw from the provisions of this Act and the effective date of withdrawal; and the abolishing of all laws and parts of laws in conflict with said Act.

by a vote of a majority of the whole number elected to the Senate; said vote being Yeas 24; Nays 0.

And said Bill, as thus amended by the Executive Amendment, was again read at length and passed by a vote of a majority of the whole number elected to the Senate; said vote being Yeas 24; Nays 0.

And said Bill, H. B. 151, together with the amendment proposed by the Governor, is herewith returned to the House.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 85. Relative to adjournment of the two Houses to meet again Friday, August 11, 1961, at 10:00 A.M.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning House Bill No. 396, with suggested Executive Amendments.

Respectfully submitted
JOSEPH G. ROBERTSON
Executive Secretary

August 4, 1961

GOVERNOR'S MESSAGE

Received.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolutions and House Bills hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 10:50 A. M. On August 4, 1961

H. J. R. 75

H. J. R. 79

H. J. R. 77

H. J. R. 78

Delivered to the Governor at 2:00 P. M. On August 4, 1961

H. 144

H. 36

H. 770

Delivered to the Governor at 4:50 P. M. On August 4, 1961

H. J. R. 80

H. 607

H. 988

H. J. R. 81

H. J. R. 82

OAKLEY MELTON, JR.,
Clerk.

ADJOURNMENT

On motion of Mr. Torbert the House adjourned until Friday, August 11, 1961, at ten o'clock A. M.

TWENTY-EIGHTH DAY

House of Representatives
Montgomery, Alabama
Friday, August 11, 1961

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Dean Matthews, Pastor, Milton Baptist Church, Autauga County, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Dunn	Johnson (Hardaway)	Pruitt
Adams	Edwards	Johnson (J. T. Tom)	Ramey
Albea	Engel	Johnston (Leonard)	Rast
Avery	Faulk	Jones (Covington)	Ray
Bailey	Ferguson	Jones (Monroe)	Reynolds (Chambers)
Barnett	Franklin	Lee	Reynolds (Madison)
Bassett	Gilchrist	Locke	Roberts
Bevill	Gilmer	Long (Lauderdale)	Rogers
Bishop	Glass	Long (Perry)	Rozelle
Boyd	Goldthwaite	McClendon (Chambers)	Salter
Brannan	Goodwyn	McCorquodale	Self
Branyon	Gordon	McLendon (Bullock)	Sessions
Brewer	Grant	Martin	Shumate
Britton	Gross	Meade	Smith (Russell)
Broadfoot	Grouby	Merrill	Smith (St. Clair)
Brooks	Guthrie	Morrow	Solomon
Cabiness	Hain	Murphy	Speaks
Callahan	Hanby	Nettles	Steagall
Camp	Hankins	Nichols	Sullivan
Casey	Hardy	Oakley	Taylor
Cates	Harris	Oden	Thomas
Chambers	Harvey	Owens	Torbert
Cook	Hawkins	Perry	Trimmier
Copeland	Hearn	Phillips	Turner
Cornett	Ingram	Pierce	Turnham
Daniel	Jenkins	Powell	Vickers
Dodd			

—105

A quorum was present.

MOTION IN WRITING

Mr. Taylor filed the following Motion in Writing:

I hereby move that the Clerk be directed to request the Senate to return House Bill 355 to the House for further consideration.

MOTION IN WRITING

Mr. Taylor filed the following Motion in Writing:

Having voted with the prevailing side on the last legislative day on the passage of House Bill 355, I do hereby move that the vote by which such bill was passed be reconsidered.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 151. Relating to counties having a population of not less than 115,000 nor more than 165,000 inhabitants, according to the 1960 or any subsequent federal decennial census, electing to come under the provisions of the Act as provided therein; providing a more convenient and efficient method for the registration, assessment for taxes, collection of ad valorem taxes, and sale and distribution of tags for motor vehicles, the issuance of motor vehicle drivers licenses and temporary instruction permits, and the transfer of ownership of motor vehicles; creating a motor vehicle license department in each county to which this Act is made to apply as herein provided and providing for the appointment, qualification, terms, compensation, powers, duties, and authority of the director and deputy director thereof; transferring to the motor vehicle license department, and the director thereof, all the powers, duties, responsibilities, liabilities and authority of the tax assessor, tax collector, and judge of probate relative to the registration, assessment for taxes, collection of ad valorem taxes, sale and distribution of tags for motor vehicles, the issuance of motor vehicle drivers licenses and temporary instruction permits, the transfer of ownership of motor vehicles, and the distribution of the fees, charges and commissions collected and received therefrom; providing an additional and alternative method for the registration, assessment for taxes, collection of ad valorem taxes, and sale and distribution of tags for motor vehicles; providing for clerical assistance, office space, equipment, supplies, and other conveniences necessary for the efficient operation and conduct of the motor vehicle license department; providing for the method by which a county to which this Act applies can elect to come within the provisions of said Act and the effective date thereof; providing the method by which a county may withdraw from the provisions of this Act and the effective date of withdrawal; and the abolishing of all laws and parts of laws in conflict with said Act.

And finds same correctly enrolled.

VIRGIS M. ASHWORTH,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF STANDING COMMITTEE ON RULES

Mr. Ashworth, Chairman of the Standing Committee on Rules, reported that said Committee in session, had acted on the following resolution, and ordered same returned to the House with the recommendation that it be adopted.

By Rules Committee:

H. R. 86. BE IT RESOLVED BY THE HOUSE that the following bills in the order named be made special, paramount and continuing order of business, at this time, taking precedence over any other business of the House, including messages from the Senate:

By Messrs. Smith (Russell), Brannan, Pierce, Adams, Boyd, Lee, Thomas, Jones (Monroe), Oakley, Grant, Dickson, Beville, Turnham, Pruitt, Cornett, Shumate, Phillips, Reynolds (Chambers), Solomon and Chambers:

H. 206. To authorize a transfer between certain funds of the state docks department, amending Section 15 of Act No. 311, H. 253, approved August 20, 1957, an act providing for development of inland docks (Acts of Alabama 1957, vol. I, p. 408), and providing that the amendment shall have retroactive effect.

By Messrs. Smith (Russell), Brannan, Adams, Boyd, Lee, Thomas, Jones (Monroe), Oakley, Grant, Dickson, Beville, Turnham, Pruitt, Cornett, Shumate, Phillips, Reynolds (Chambers), Solomon and Chambers:

H. 205. To repeal Act No. 604, Acts of Alabama, Regular Session 1957, Volume 2, page 863, approved September 18, 1957, which created the position of general manager for operations for the Alabama State Docks Department.

By Messrs. Smith (Russell), Brannan, Adams, Boyd, Lee, Thomas, Jones (Monroe), Oakley, Grant, Dickson, Beville, Turnham, Pruitt, Cornett, Shumate, Phillips, Reynolds (Chambers), Solomon and Chambers:

H. 207. To repeal Section 3 of Act No. 103, 1955 Acts of Alabama, page 345, Volume 1, approved June 30, 1955, which created the position of general manager for the Alabama State Docks Department.

By Messrs. Smith (Russell), Brannan, Adams, Boyd, Lee, Thomas, Jones (Monroe), Oakley, Grant, Dickson, Beville, Turnham, Pruitt, Cornett, Shumate, Phillips, Reynolds (Chambers), Solomon and Chambers:

H. 209. (with amendments). To amend Sections 2 and 6 of Act No. 103, H. 230, Regular Session 1955, the act creating the Alabama State Docks Department (Acts of Alabama 1955, vol. I, p. 345), in relation to the compensation of the director of State Docks and to the appointment and compensation of certain executive or administrative assistants.

By Messrs. Torbert, Lee, Taylor, Powell, Reynolds (Madison), Cook, Adams, Dodd, Perry, Edwards, Sessions, Hain, Goodwyn, Faulk, Meade, Turnham, Long (Perry), Glass, Thomas, Dickson, Phillips, Hawkins, Reynolds (Chambers), Cates, Cabiness, Gross, Morrow, Gilmer, Hardy, Nichols and Steagall:

H. 39. (with substitute) (with amendment). To regulate the lending

of money repayable in installments, whether secured or unsecured; to provide the maximum rate of interest and other charges on such transactions; to regulate such transactions; to prescribe penalties for violation of this Act; to define the phrase "installment loan" for the purposes of this Act; to provide for a short title therefor so that the same may be cited as the "Installment Loan Act"; to provide for the repeal of inconsistent laws heretofore enacted; to provide exemptions from the provisions of this Act; to provide when this Act shall take effect, and to provide that any section or provision of this Act being held unconstitutional shall not affect the validity of any other section or provision.

By Mr. Bailey:

H. 176. (with substitute). To provide for the deposit of money of the State and for the investment of portions thereof under certain conditions, creating the state investment committee and prescribing their powers, duties and compensation.

By Messrs. Goodwyn, Goldthwaite, Bailey and Pierce:

H. 703. To authorize the State Agency for Administration of Social Security Act to secure social security coverage for certain student employees of the State of Alabama and the political subdivisions and instrumentalities thereof.

By Messrs. Smith (Russell), Morrow, Boyd, McLendon (Bullock), Cook, Pruitt, Adams, Sessions, Hawkins, Nichols, Faulk, Bailey, McCorquodale, Thomas, Solomon, Chambers, Trimmier, Beville and Sullivan:

H. 479. (with substitute) (with amendment). To amend Sections 697 and 703 of Title 51, Code of Alabama 1940, so as to revise the privilege license schedules relating to the registration of trucks, truck-tractors, trailers, and semi-trailers.

By Messrs. Smith (Russell), Morrow, Boyd, McLendon (Bullock), Cook, Adams, Sessions, Hawkins, Nichols, Faulk, Bailey, McCorquodale, Thomas, Solomon, Chambers, Beville, Pruitt and Sullivan:

H. 480. (with substitute). To amend further Section 713, Title 51, Code of Alabama 1940, which relates to the distribution of motor vehicle and trailer license tax funds.

By Messrs. Smith (Russell), Morrow, Boyd, McLendon (Bullock), Cook, Adams, Sessions, Hawkins, Nichols, Faulk, Bailey, McCorquodale, Thomas, Solomon, Chambers, Trimmier, Beville, Sullivan and Pruitt:

H. 481. To amend Act No. 664, H. 791, approved July 5, 1940 (General Acts of Alabama, 1939, p. 1050), which provides for the levy, assessment, and collection of mileage taxes from motor carriers in the State of Alabama, so as to eliminate the imposition of such tax on vehicles transporting property for-hire.

By Messrs. Smith (Russell), Sullivan, Morrow, Boyd, McLendon (Bullock), Cook, Adams, Sessions, Cates, Hawkins, Nichols, Faulk, Bailey, Thomas, McCorquodale, Solomon, Chambers, Trimmier, Beville, Pruitt:

H. 484. (with substitute). To make further provisions regarding the taxation affecting motor fuel, as defined in this Act, sold to, or withdrawn from storage or used in this State by motor carriers, as defined in this Act,

including the imposition of an excise tax measured by the quantity of motor fuel used by such motor carriers in their operations in this State; the definition of the terms motor vehicle, motor carrier, operations, motor fuel, Commissioner, gasoline tax and Diesel fuel tax, as used in this Act; the fixing of the amount of such tax and provision for the collection thereof; provision for credit upon such tax for payment of the gasoline tax and the Diesel fuel tax and, in certain cases, provision for refunds of the gasoline tax and the Diesel fuel tax, if proper bond be given; provision for an audit of the records of applicants for refunds; provision for penalties for the violation of this Act; provision for the costs of administration of this Act; provision for the disposition of the proceeds of the tax imposed by this Act; provision for the making of reports by all motor carriers subject to this Act and for joint reports by certain of such motor carriers; provision for sales of motor fuel, as defined in this Act, to motor carriers duly reporting pursuant to this Act by a distributor or storer without liability for the gasoline tax or the Diesel fuel tax if such motor carrier has given bond in such amount as may be required by the Commissioner to secure the payment of the tax imposed by this Act; authorizing the Commissioner of the State Department of Revenue to promulgate rules and regulations with respect to the enforcement of the provisions of this Act; provision for reciprocal agreements with other states; provision for the modification and repeal of laws or portions thereof to the extent of any conflict with the provisions of this Act; the fixing of the effective date of this Act; and generally, provision for the enforcement of the provisions of this Act and rules and regulations adopted pursuant thereto.

By Messrs. Smith (Russell), Grouby, Oden, Vickers, Boyd, Ingram and Pruitt:

H. 30. To appropriate from any funds in the State Treasury to the credit of the General Fund the sum of \$300,000 for the purpose of erecting, constructing and equipping a training building for the State Department of Public Safety.

By Messrs. Smith (Russell), Grouby, Torbert, Oden, Vickers, Boyd, Goodwyn and Pruitt:

H. 31. To amend further Section 10 of Act No. 585 entitled "An Act To Create a Department of Public Safety; to provide for the appointment by the Governor of the Director thereof; to provide for the salary of said Director, and that said salary may be fixed by the Governor; to authorize the creation of divisions within said department and the appointment under the provisions of the Merit System of the chiefs of said divisions and other employees; to prescribe the duties and powers of the Director of the Department of Public Safety, and to enumerate the laws which said Director shall administer and enforce; to provide for the disposition of costs, fees and mileage of Highway Patrol officers when attending courts; to provide for the police powers possessed by members of the State Highway Patrol; to provide for the payment of the compensation of officers, agents and employees of the Department of Public Safety and to provide for the payment of expenses for necessary equipment; to create a fund in the State Treasury to be known as the State Public Highway and Traffic Control Fund, and to prescribe the monies which shall be paid into said fund; to require that expenditures of the Department of Public Safety shall be limited to amounts appropriated by the Legislature out of the State Public Highway and Traffic Control Fund; to provide for the liability of members of the State Highway Patrol on their official bonds; to prescribe an arrest fee for Highway Patrol officers, and the payment of said fee into the State Public Highway and Traffic Control Fund; to provide that any unencumbered balance in the State Public Highway and Traffic Control

Fund at the end of any two year drivers' licensing period shall be paid into the Public Road and Bridge Fund of the Highway Department; to require the State Comptroller to record the source of funds paid into the State Public Highway and Traffic Control Fund; to authorize the Department of Public Safety to promulgate rules and regulations having the force and effect of law and to provide for a penalty for the violation thereof; to transfer all monies or funds in the Highway Patrol Fund to the State Public Highway and Traffic Control Fund, and to authorize any appropriation heretofore made from said Highway Patrol Fund to be paid out of the said State Public Highway and Traffic Control Fund; and to provide for the effective date of this Act," approved September 11, 1953, as amended by Act No. 44, approved June 7, 1955.

By Messrs. Bevill, Gordon, Albea and Casey:

H. 854. (with amendment). To create a judicial conference for the State of Alabama; to prescribe the membership thereof, their duties, terms of office, and compensation.

By Messrs. Bevill, Gordon and Casey:

H. 855. To amend Section 1 of Act No. 936, H. 652, approved September 12, 1951, entitled "An Act To fix and designate the salary of supernumerary circuit judges, their tenure of office and to prescribe their duties, and to refund to them their reasonable expenses for travel and hotel bills while engaged in their official duties in counties other than that of their residence" (Acts of Alabama 1951, vol. II, p. 1605), in relation to the compensation and allowances of supernumerary circuit judges.

By Messrs. Bevill, Gordon, Albea and Casey:

H. 856. To amend Section 2 of Act No. 288, S. 161, approved July 7, 1945 (General Acts of Alabama 1945, p. 478), which relates to supernumerary circuit judges.

By Messrs. Bevill, Gordon and Casey:

H. 857. To amend further Section 33 of Title 13, Code of Alabama 1940, in relation to the salaries of supernumerary justices.

By Messrs. Bevill, Gordon and Casey:

H. 858. To amend Sections 2 and 3, as amended, of Act. No. 228, S. 21, approved July 31, 1947, an act providing for additional supernumerary judges (General Acts of Alabama 1947, p. 92).

By Mr. Goodwyn:

H. 1024. To amend Sections 2, 3, and 4 of Act No. 474, S. 219, Regular Session 1953, entitled "An Act to provide supernumerary circuit solicitors of the State of Alabama; to provide the conditions under which a circuit solicitor; to provide for reimbursement to such supernumerary circuit qualifications, duties, powers, authority, compensation, method of removal from office of such supernumerary circuit solicitors; to provide for filling vacancies created by a circuit solicitor becoming a supernumerary circuit solicitor; to provide for reimbursement to such supernumerary circuit solicitors their reasonable expenses incurred for travelling on official business in counties other than that of their residence, and to appropriate

funds for the payment of compensation and expenses of such supernumerary circuit solicitors," (Acts of Alabama 1953, Vol. I, page 589).

By Mr. Pruitt:

H. 1026. To amend further Act No. 128, S. 120, Regular Session 1949, entitled "An Act to provide for the service of process in civil suits upon non-residents of the State of Alabama and providing that any non-resident person, firm, partnership, general or limited, or any corporation not qualified under the constitution and laws of this State as to doing business herein shall be deemed to have appointed the Secretary of State, or his successor or successors in office, to be the true and lawful attorney or agent of such non-resident, upon whom process may be served; and for other purposes" (Acts of Alabama 1949, p. 154).

By Mr. Torbert:

H. 138. (with amendment). To authorize the formation of unincorporated associations for the purpose of rendering professional service; to prescribe the manner of organization of such association; to require recording of articles of association in the office of the probate judge; to restrict the professional services to be rendered by the association to the specific kind of profession for which the association is formed; to limit membership in or shareholders of the association to persons qualified and licensed to practice such profession; to require that professional services furnished by the association be rendered only through agents duly licensed to practice such profession; to authorize associations to employ non-professional personnel for non-professional duties; to provide that present provisions of laws shall govern with respect to professional liability of members furnishing professional service; to preserve confidential relationships and to limit liability of members or shareholders; to provide for centralized management by a board of governors who may or may not be members or shareholders and for election of officers; to provide that a professional association shall be a separate entity independent of its members or shareholders and may contract, hold title to real and personal property, invest its funds in real estate, mortgages, stocks and bonds, sue and be sued as an independent entity; to provide for valuation of shares, and transfer of membership or shares; to provide that professional associations may issue stock or certificates as evidence of ownership of assets in a stock-type organization, or that the association may be a non-stock organization; to provide for filing of annual reports with the Secretary of State; to authorize the Attorney General to dissolve an association violating certain provisions of this act; to provide that Article 8, Chapter 4, Title 7, Code of Alabama 1940, and laws relating to corporations generally, not in conflict herewith, shall govern professional associations; and to repeal conflicting laws.

By Messrs. Brannan, McLendon (Bullock), Pierce, Goodwyn, Bailey, Gross, Gilmer, McCorquodale, Jones (Monroe), Grant and Dickson:

H. 756. Defining LP gas dealers, LP gas contractors—plumbers, LP gas transporters, LP gas portable container dealers, LP gas suppliers, as related to the subject matter of this Act; to provide for the regulation, supervision and control of persons engaged in the businesses as defined in this Act; to provide for the regulation of the design, construction, installation and operation of containers, tanks, systems and equipment for storing, utilization, handling and transporting liquefied petroleum gas; declaring the business of liquefied petroleum gas dealers, and other businesses defined in this Act, to be affected with a public interest; to create the Alabama Liquefied Petroleum Gas Commission and to define its duties and authority; to authorize and empower the Alabama Liquefied Petroleum

Gas Commission to adopt and promulgate rules and regulations not in conflict with this Act in order to carry out the provisions of this Act; to provide for permits and licenses, and for application fees, supervision and inspection fees, insurance coverage and bonds of persons engaging and proposing to engage in the businesses defined in this Act; to provide for minimum storage requirements of liquefied petroleum gas by persons engaged in the businesses defined in this Act; to provide for the employment by the Alabama Liquefied Petroleum Gas Commission of a director and other employees; to provide for the issuance of permits to those persons engaged in the business of liquefied petroleum gas dealers on May 1, 1961, and upon the effective date of this Act; to provide penalties for violation of this Act, and permits, licenses, rules, regulations and orders issued pursuant thereto; to provide for recognition by the Alabama Liquefied Petroleum Gas Commission an advisory committee of the liquefied petroleum gas industry in Alabama, and for an employee of the Commission to serve on such committee; to provide for the effective date of this Act; and to repeal all laws, or parts of laws, in conflict with the provisions of this Act.

By Messrs. Callahan, Speaks, Goodwyn, Solomon, Camp, Ferguson, Harris, Broadfoot, Hearn, and Cates:

H. 778. (with amendments). To regulate the teaching and practice of cosmetology in any county having a population of less than 600,000, according to the last or any subsequent federal decennial census; requiring the registration and licensing of cosmetologist and cosmetologists' apprentices, and schools of cosmetology, creating for the administration of this Act a State Board of Cosmetology, and defining violation of this Act and prescribing penalties therefor; to repeal Act No. 653, General Acts 1957, Regular Session, page 981, as amended by Act No. 633, General Acts 1959, Regular Session, page 1540, which regulated the teaching and practicing of cosmetology.

By Mr. Turnham:

H. 45. To amend Act No. 804, S. 355, approved September 11, 1951, which relates to pardon or parole of persons sentenced to death whose sentences are commuted to life imprisonment.

By Mr. Phillips:

H. 57. To amend Act No. 261, H. 37, Regular Session 1957, an act levying a documentary tax or transfer fee upon leases and instruments creating or transferring mineral interests (Acts of Alabama 1957, vol. I, p. 332).

By Messrs. Powell and Turnham:

H. 41. (with amendment). Relating to county officers and offices: prescribing the times when county offices shall be open or may be closed; superseding and repealing Act No. 74, H. 12, Regular Session, 1945.

By Messrs. Turner, Brewer, Roberts, Bishop, Reynolds (Madison), Rast, Morrow, Dodd, Oden, Ray, Gordon, Branyon, Hankins, Guthrie, Shumate, Hanby, Copeland, Casey, Gilchrist, Beville, Perry and Broadfoot:

H. 1050. To authorize county governing bodies to make appropriations to support vocational trade schools or other similar institutions in which residents of the county or dependents of such residents are enrolled or are entitled to be enrolled.

By Messrs. Brewer, Edwards, Sessions, Perry, Brannan, Dodd, Roberts, Self, Gilchrist, Rast, Turner, Morrow, Guthrie, Jones (Covington), Ferguson, Lee:

H. 1031. To amend Section 26 of Title 46, Alabama Code of 1940, relating to the admission to the state bar of graduates of the law department of the University of Alabama.

By Messrs. Pierce, Bailey, Goodwyn, Goldthwaite:

H. 1276. To name the state vocational trade school located in Montgomery County the "John M. Patterson Trade School."

By Mr. Hanby:

H. 746. To provide for and authorize certain physically incapacitated persons to vote absentee ballots.

By Mr. Goodwyn:

H. 701. To amend Sections 242 and 243 of Title 22, Code of Alabama (1940), which relates to narcotic drugs and poisons.

By Messrs. Smith (Russell), Brannan, Adams, Boyd, Lee, Thomas, Jones (Monroe), Oakley, Grant, Dickson, Beville, Turnham, Pruitt, Cornett, Shumate, Phillips, Reynolds (Chambers), Solomon and Chambers:

H. 203. (with substitute). To implement the provisions of that certain Constitutional Amendment that was proposed by Act No. 151 adopted at the 1957 Regular Session of the Legislature of Alabama and that authorizes the state to engage in works of internal improvement by promoting, developing, constructing, maintaining and operating along navigable streams and waterways of Alabama all manner of docks and facilities of every kind, in aid of commerce and use of waterways of the state, and to incur indebtedness and issue bonds for said purpose; to authorize the state to engage in such works of internal improvement at an additional cost of not exceeding \$3,500,000; to designate the Alabama State Docks Department and any department or agency of the state that may succeed to its functions as the agency to undertake, manage, operate and control such improvements; to prescribe the powers, duties and authority of said department in connection therewith; to provide for the acquisition of property to carry out the purposes of this act and for the exercise of the power of eminent domain with regard thereto; to authorize the state to become indebted to the extent of not exceeding \$3,500,000 in principal amount to carry out the provisions of this act and to issue its interest bearing direct general obligation bonds therefor; to prescribe in general the terms of the bonds and the method and manner of the sale and issuance thereof; to provide the use of proceeds from the sale of the bonds; to authorize the state to issue its refunding bonds for the purpose of refunding any of the bonds issued pursuant to the said Constitutional Amendment; to provide for the payment of any indebtedness evidenced by bonds issued pursuant to this act, to make appropriation therefor, and to pledge the full faith and credit of the state to the payment of such indebtedness; to provide for the use of funds obtained from the operation of the improvements constructed with proceeds of any bonds issued under the provisions of said Constitutional Amendment; to authorize the use of personnel of the department at the Port of Mobile for the construction and operation of the improvements constructed with proceeds of any bonds issued under said Constitutional Amendment and the fair allocation of their compensation and expenses; to

prohibit the use of revenues of the department derived from the operation of the state docks facilities at the Port of Mobile to pay any of the expenses of acquiring, maintaining or operating the improvements constructed with proceeds from the sale of bonds issued under said Constitutional Amendment, or to pay the principal of or interest on any of the bonds issued under said Constitutional Amendment; to provide for the investment of the proceeds from the sale of any of the bonds issued pursuant to the said Constitutional Amendment and of any funds derived from said improvements pending need for such funds; to require the maintenance of records of the total cost of the gross revenues from, and the expenses of operating each unit of development acquired, constructed, or operated pursuant to the provisions of this act, Act No. 98 adopted at the 1959 Regular Session of the Legislature, or Act No. 311 adopted at the 1957 Regular Session of the Legislature; to authorize the said department to fix and collect reasonable rates and charges for services rendered by, and for use of, facilities established pursuant to this act; to authorize the revocation of certain licenses; and to exempt the bonds and the interest thereon from taxation.

By Mr. Ferguson:

H. 322. (with substitute). Relating to public health; regulating the handling, sale, and distribution of amphetamines, sometimes called "benzedrine", "dexedrine" or "bennie pills"; and prescribing penalties.

By Messrs. Johnson (J. T. Tom), Martin, Ramey, Murphy, Perry, Cates, Harvey, Hawkins, Boyd, Broadfoot, Sessions, Morrow, Trimmier, Self, Branyon, Hankins, Phillips, Meade, McLendon (Bullock), Smith (St. Clair), Bassett, Jenkins, Dodd and Vickers:

H. 321. Regulating further the registration and licensing of motor vehicles: To require all motor vehicles operated in Alabama to be registered and annually to be licensed and to have attached thereto registration plates with tabs or other devices indicating the payment of the license tax for the current year; to convert vehicle license tags and the numbers thereon issued for the fiscal year beginning October 1, 1962 into the registration number and plates hereby required of the licensee; to provide for and regulate the issuance and use of registration plates and annual license tabs or other such devices; to prescribe penalties for violations of this Act; to amend Sections 704, 705, and 708 of Title 51, Code of Alabama 1940 to conform to this Act; and to repeal Sections 693 and 706 of said Title 51 and Act No. 35, H. 34, approved May 28, 1945 (Acts of 1945, p. 42), and other laws in conflict herewith.

By Messrs. Hawkins, Morrow, Edwards, Sessions, Long (Perry), and Perry:

H. 126. (with minority report) (with amendment). Relating to the state board of education; amending Sections 6, 7, 8, 9, 10, 11, and 12 of Title 52, Code of Alabama (1940); providing for the election of members of the board.

By Messrs. Hawkins, Sessions, Long (Perry), Morrow, Edwards, and Perry:

H. 127. (with amendments). To provide for the appointment, qualifications, and compensation of the state superintendent of education; amending Code 1940, Title 52, Section 41, and expressly repealing conflicting laws.

By Messrs. Hawkins, Sessions, Long (Perry), Morrow, Edwards, Perry:

H. 128. Proposing an amendment to the Constitution of Alabama relative to the office of state superintendent of education, and ordering an election to be held thereon.

By Messrs. Hanby and Copeland:

H. 1106. Relating to vocational trade schools; authorizing, directing, and requiring the state board of education to provide for the establishment, maintenance and operation of a trade school for negroes at Gadsden.

By Mr. Turner:

H. 891. To authorize the State Board of Agriculture and Industries to establish a program for the prevention, control and eradication of brucellosis or bangs disease in cattle and to prescribe the powers, authority and duties of the Commissioner of Agriculture and Industries and the State Veterinarian relative thereto; to authorize the State Board of Agriculture and Industries to prescribe methods and procedures for calfhood vaccination against brucellosis together with other methods and procedures for testing and vaccinating cattle for the control and eradication of such disease; to authorize the State Board of Agriculture and Industries to adopt rules and regulations for a brucellosis disease control and eradication program and to prescribe a penalty for violations thereof; to repeal Act No. 410 of the Legislature of 1947, approved September 25, 1947 (General Acts of 1947, page 298).

By Mr. Turner:

H. 1126. To make an appropriation of funds to finance a poultry and egg research program and to prescribe a method to establish and carry out such a program.

By Messrs. Cornett and Pruitt:

H. 312. (with substitute). To amend Title 51, Section 647, as amended 649, as amended, 650, 651, as amended, 652, and 653, Code of Alabama 1940, to provide for the levying of the tax on gasoline and other motor fuels on the storer, distributor, seller, refiner and user, and in that order, and to provide for the collection, reporting and payment of the tax to the state upon the happening of the first taxable event to take place in this state, and for the keeping of certain designated records by the storer, distributor, seller, or refiner.

By Mr. Rast:

H. 1016. TO AMEND Act No. 438 of the Alabama Legislature, approved July 8, 1943, (Title 28, Section 352, Alabama Code (1940) as amended) to authorize investments by life insurance companies in notes secured by mortgages or trust deeds on unencumbered real estate in principal amount of up to three-fourths of the value of the real estate; and to delete therefrom the provisions relating to special loans up to four-fifths of the value of said real estate; and to provide that this section shall not affect loans insured or guaranteed by the federal housing commissioner or the veterans administration.

By Messrs. Smith (Russell), Grouby, Oden, Vickers, Boyd, Goodwyn, Ingram and Pruitt:

H. 29. To appropriate from any funds in the State Treasury to the credit of the General Fund the sum of \$160,000 for the purpose of purchasing and installing a mechanical filing system in the State Department of Public Safety.

By Mr. Rast:

H. 686. (with substitute). To amend Sections 6, 14, 16, 19 and 20 of Act No. 576, Acts of Alabama 1959, page 1442, Volume 2, entitled, "An Act Relating to the registration of vessels and their operation on the waters of this State and providing for water safety; providing for definitions; registration and identification of vessels used on the waters of this State by the Conservation Department of this State; the enforcement of this act; duties of the director of the State Department of Conservation; fee schedule for vessel registration; term of certificates and registration; establishment of a numbering and identifying system in compliance with Federal Boating Act of 1958 and any subsequent amendment thereto; prohibiting vessel operation when unnumbered; establishing exemptions from numbering provisions; requiring safety equipment; requiring records to be kept by boat livery; requiring accident reports to be filed with Conservation Department; certain operations of vessels prohibited; prohibition by local regulation of water safety; granting rule making authority to Director of Conservation with limitations as set out in this act; the establishment of license fees on vessels and providing penalties for violation of the provisions of this act; providing for an appropriation of \$32,500.00 to the Department of Conservation for the administration of the provisions of this Act and for the transfer of certain monies to the Administrative Division of the Department of Conservation; to provide for the appointment of special agents to sell boat licenses; to repeal all laws in conflict with the provisions of this Act".

By Mr. Copeland:

H. 381. To amend Section 93, Title 8, Code of Alabama 1940, which relates to hunting or trapping in the night-time on lands of another without permission so as to increase the penalty therefor.

By Mr. Copeland:

H. 382. To amend Section 92 of Title 8, Code of Alabama, which relates to hunting or trapping in daytime on the lands of another without permission so as to increase the penalty therefor.

By Mr. Copeland:

H. 383. To amend Section 33 of Title 8, Code of Alabama, which relates to non-resident trip hunting license to increase the penalty therefor.

By Mr. Copeland:

H. 667. To amend Title 8, Section 86, Code of Alabama 1940, as last amended by Act No. 767, 1953 General Acts, page 1028, approved September 17, 1953.

By Mr. Goodwyn:

H. 705. To amend Act No. 298, S. 341, approved June 29, 1943 (Acts of Alabama, 1943, p. 252) which relates to the Department of Labor;

providing for the filing of the report of labor organizations on or before the thirty-first day of March or, if the organization's fiscal year does not coincide with the calendar year, within 90 days after the close of the organization's fiscal year.

Mr. Lee offered the following amendment to the resolution, H. R. 86:

Amend H. R. 86 by striking therefrom the words "including messages from the Senate".

The motion of Mr. Perry to lay on the table the amendment offered by Mr. Lee was lost.

Yeas 47; Nays 57.

Yeas:

Mr. Speaker	Engel	Johnson (Hardaway)	Pierce
Bishop	Franklin	Johnson (J. T. Tom)	Rast
Boyd	Gilchrist	Locke	Reynolds (Chambers)
Branyon	Glass	Long (Perry)	Reynolds (Madison)
Brewer	Goldthwaite	McClendon (Chambers)	Roberts
Broadfoot	Goodwyn	Martin	Self
Callahan	Hanby	Morrow	Sessions
Copeland	Hankins	Murphy	Sullivan
Cornett	Harris	Nichols	Trimmier
Dodd	Harvey	Oakley	Turner
Dunn	Hawkins	Owens	Vickers
Edwards	Jenkins	Perry	

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Nays:

Messrs.	Cook	Jones (Covington)	Ray
Adams	Daniel	Jones (Monroe)	Rogers
Albea	Faulk	Lee	Rozelle
Avery	Ferguson	Long (Lauderdale)	Salter
Bailey	Gilmer	McCorquodale	Shumate
Barnett	Gordon	McLendon (Bullock)	Smith (Russell)
Bassett	Grant	Meade	Smith (St. Clair)
Bevill	Gross	Merrill	Solomon
Brannan	Grouby	Nettles	Speaks
Britton	Guthrie	Oden	Steagall
Brooks	Hain	Phillips	Taylor
Cabiness	Hardy	Powell	Thomas
Camp	Hearn	Pruitt	Torbert
Casey	Ingram	Ramey	Turnham
Chambers	Johnston (Leonard)		

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MOTION ADOPTED

The motion of Mr. Thomas that the Clerk be directed to turn on the loud speakers outside the Capitol building was adopted.

Yeas 102; Nays 0.

Yeas:

Mr. Speaker	Dunn	Johnson (J. T. Tom)	Ramey
Adams	Edwards	Johnston (Leonard)	Rast
Albea	Engel	Jones (Covington)	Ray
Avery	Faulk	Jones (Covington)	Reynolds (Chambers)
Bailey	Ferguson	Lee	Reynolds (Madison)
Barnett	Franklin	Locke	Roberts
Bassett	Gilchrist	Long (Perry)	Rogers
Bevill	Gilmer	McClendon (Chambers)	Rozelle
Bishop	Glass	McCorquodale	Salter
Boyd	Goldthwaite	McLendon (Bullock)	Self
Brannan	Goodwyn	Martin	Sessions
Branyon	Gordon	Meade	Shumate
Brewer	Grant	Merrill	Smith (Russell)
Britton	Gross	Morrow	Smith (St. Clair)
Broadfoot	Grouby	Murphy	Solomon
Brooks	Guthrie	Nettles	Speaks
Cabiness	Hanby	Nichols	Steagall
Callahan	Hankins	Oakley	Sullivan
Camp	Hardy	Oden	Taylor
Casey	Harris	Owens	Thomas
Cates	Harvey	Perry	Torbert
Chambers	Hawkins	Phillips	Trimmier
Cook	Hearn	Pierce	Turner
Copeland	Ingram	Powell	Turnham
Cornett	Jenkins	Pruitt	Vickers
Daniel	Johnson (Hardaway)		

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CONSIDERATION OF H. R. 86 RESUMED

The question was on the adoption of the amendment offered by Mr. Lee to the resolution, H. R. 86, and said amendment was adopted.

Yeas 60; Nays 45.

Yeas:

Messrs.	Cook	Johnston (Leonard)	Ray
Adams	Cornett	Jones (Covington)	Rogers
Albea	Daniel	Jones (Monroe)	Rozelle
Avery	Faulk	Lee	Salter
Bailey	Ferguson	Long (Lauderdale)	Shumate
Barnett	Gilmer	McCorquodale	Smith (Russell)
Bassett	Gordon	McLendon (Bullock)	Smith (St. Clair)
Bevill	Grant	Meade	Solomon
Brannan	Gross	Merrill	Speaks
Britton	Grouby	Nettles	Steagall
Brooks	Guthrie	Oden	Sullivan
Cabiness	Hain	Phillips	Taylor
Camp	Hardy	Powell	Thomas
Casey	Hearn	Pruitt	Torbert
Cates	Ingram	Ramey	Turnham
Chambers			

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Nays:

Mr. Speaker	Franklin	Johnson (Hardaway)	Perry
Bishop	Gilchrist	Johnson (J. T. Tom)	Pierce
Boyd	Glass	Locke	Rast
Branyon	Goldthwaite	Long (Perry)	Reynolds (Chambers)
Brewer	Goodwyn	McClendon (Chambers)	Reynolds (Madison)
Broadfoot	Hanby	Martin	Roberts
Callahan	Hankins	Morrow	Self
Copeland	Harris	Murphy	Sessions
Dodd	Harvey	Nichols	Trimmier
Dunn	Hawkins	Oakley	Turner
Edwards	Jenkins	Owens	Vickers
Engel			

—45

Mr. Locke offered the following amendment to the resolution, H. R. 86, as amended:

Motion to Amend the Special Order of the Rules Committee

Move that the special order of the rules committee be amended as follows:

by adding the following bills:

H. B. 1305, p. 12; S. B. 506, p. 118, S. B. 487, p. 116; H. B. 1289 p. 100
H. B. 1267 p. 97

be inserted immediately after HB 41 at page 20.

POINT OF ORDER BY MR. PERRY

Rule 2 of the House provides that immediately upon the appearance of a quorum the Journal of the preceding day shall be read. That the proper order of business is the reading of the Journal in accord with Rule 2 which is necessary to the proper organization of the House and to lend effect to the business conducted by the House on this legislative day.

Notice is therefore given that the legality of the action of the House in the conduct of its business on this legislative day is hereby questioned by reason of the failure of the proper organization of the House in that the Journal of the House was not read, and notice is further given that the constitutionality of all measures passed by the House on this legislative day will be questioned for the foregoing reasons.

The Chair overruled and denied the point of order by Mr. Perry.

CONSIDERATION OF H. R. 86 RESUMED

The motion of Mr. Locke to suspend the rules in order to adopt the amendment offered by him to the resolution, H. R. 86, as amended, was lost.

Yeas 30; Nays 64.

Yeas:

Messrs.	Engel	Johnson (J. T. Tom)	Rast
Bishop	Franklin	Locke	Roberts
Branyon	Gilchrist	Long (Perry)	Self
Brewer	Glass	McClendon (Chambers)	Sessions
Callahan	Goldthwaite	Morrow	Torbert
Dodd	Goodwyn	Murphy	Trimmier
Dunn	Hawkins	Oakley	Turner
Edwards	Jenkins	Perry	

—30

Nays:

Mr. Speaker	Chambers	Hearn	Pruitt
Adams	Copeland	Ingram	Ramey
Albea	Cornett	Johnston (Leonard)	Reynolds (Madison)
Avery	Daniel	Jones (Covington)	Rogers
Bailey	Ferguson	Jones (Monroe)	Rozelle
Barnett	Gilmer	McCorquodale	Shumate
Bassett	Gordon	McLendon (Bullock)	Smith (Russell)
Bevill	Grant	Martin	Smith (St. Clair)
Boyd	Gross	Meade	Solomon
Brannan	Grouby	Merrill	Speaks
Britton	Guthrie	Nettles	Steagall
Brooks	Hain	Nichols	Sullivan
Cabiness	Hanby	Oden	Taylor
Camp	Hankins	Phillips	Thomas
Casey	Hardy	Pierce	Turnham
Cates	Harvey	Powell	Vickers

—64

And the resolution, H. R. 86, as amended, was adopted.

Yeas 71; Nays 27.

Yeas:

Mr. Speaker	Cornett	Jones (Monroe)	Ramey
Albea	Daniel	Lee	Ray
Avery	Faulk	Long (Perry)	Reynolds (Madison)
Bailey	Ferguson	McCorquodale	Rogers
Barnett	Gilmer	McLendon (Bullock)	Rozelle
Bassett	Gordon	Martin	Shumate
Bevill	Grant	Meade	Smith (Russell)
Boyd	Gross	Merrill	Smith (St. Clair)
Brannan	Grouby	Morrow	Solomon
Britton	Guthrie	Nettles	Speaks
Brooks	Hain	Nichols	Steagall
Cabiness	Hanby	Oden	Sullivan
Callahan	Hankins	Owens	Taylor
Camp	Hardy	Perry	Thomas
Casey	Harvey	Phillips	Torbert
Cates	Hearn	Pierce	Turnham
Chambers	Ingram	Powell	Vickers
Copeland	Johnston (Leonard)	Pruitt	

—71

Nays:

Messrs.	Engel	Jenkins	Oakley
Bishop	Franklin	Johnson (Hardaway)	Rast
Branyon	Gilchrist	Jones (Covington)	Roberts
Brewer	Goldthwaite	Locke	Self
Dodd	Goodwyn	Long (Lauderdale)	Sessions
Dunn	Harris	McClendon (Chambers)	Trimmier
Edwards	Hawkins	Murphy	Turner

—27

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning House Bill No. 608, with a suggested Executive Amendment.

Respectfully submitted,
JOSEPH G. ROBERTSON,
Executive Secretary

August 11, 1961

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning House Bill No. 567, with a suggested Executive Amendment.

Respectfully submitted,
JOSEPH G. ROBERTSON,
Executive Secretary

August 11, 1961

GOVERNOR'S MESSAGE

Received.

RECESS

On motion of Mr. Martin the House recessed until 2:30 o'clock this afternoon.

Yeas 100; Nays 1.

Yeas:

Mr. Speaker	Britton	Dodd	Grant
Adams	Broadfoot	Dunn	Gross
Albea	Brooks	Edwards	Grouby
Avery	Cabiness	Engel	Guthrie
Bailey	Callahan	Faulk	Hain
Barnett	Camp	Ferguson	Hanby
Bassett	Casey	Franklin	Hankins
Bevill	Cornett	Gilchrist	Hardy
Bishop	Cates	Gilmer	Harris
Boyd	Chambers	Glass	Harvey
Brannan	Cook	Goldthwaite	Hawkins
Branyon	Copeland	Goodwyn	Hearn
Brewer	Daniel	Gordon	Ingram

Jenkins	Martin	Powell	Smith (St. Clair)
Johnson (Hardaway)	Meade	Pruitt	Solomon
Johnson (J. T. Tom)	Merrill	Ramey	Speaks
Johnston (Leonard)	Morrow	Ray	Steagall
Jones (Covington)	Murphy	Reynolds (Madison)	Sullivan
Jones (Monroe)	Nettles	Roberts	Taylor
Lee	Nichols	Rogers	Thomas
Locke	Oden	Rozelle	Torbert
Long (Perry)	Owens	Salter	Trimmier
McClendon (Chambers)	Perry	Sessions	Turner
McCorquodale	Phillips	Shumate	Turnham
McLendon (Bullock)	Pierce	Smith (Russell)	Vickers

—100

Nay:

Mr. Self

—1

JOINT SESSION

The hour of 12:00 o'clock, noon, having arrived, the Senate and House of Representatives of the Legislature of Alabama met in joint session in the Hall of the House of Representatives, in accordance with Senate Joint Resolution No. 26 heretofore adopted, for the purpose of hearing an address by Honorable Thomas W. Martin, Chairman of the Board of the Alabama Power Company.

The joint session was called to order by Honorable Albert Boutwell, Lieutenant Governor and Presiding Officer of the Senate.

Mr. Martin was escorted to the Chair and was introduced by the Honorable John Patterson, Governor of the State of Alabama, as follows: Lieutenant Governor Boutwell, Mr. Speaker, Members of the Joint Session of the Alabama Legislature, Special Guests, Ladies and Gentlemen:

This is an historic day in Alabama. It is significant not only in the life of one man . . . but in ours too . . . and for all Alabama as well. We are gathered to honor one of our most distinguished residents, a native son of our State, a gentleman who has been called on a previous occasion "First Citizen of Alabama."

It is my great privilege to introduce him to you today. I am grateful to the members of the Legislature for inviting me to make his formal introduction. This I consider to be a high personal honor. I am delighted to join with you in paying our deepest respects to Mr. Thomas W. Martin.

In saluting him today, we are also voicing an official "Thank You" for all the numerous projects in the public interest he has helped bring to reality in this century. His dedicated labors have changed our everyday lives, brought us a better life and enhanced our very future. By his efforts, not just his company but every citizen of our State has profited. It is Mr. Martin's constant concern for his fellow man which has brought him widest renown.

The Legislature is to be commended for setting aside this day to pay special tribute to Mr. Martin on the occasion of his 80th birthday, which

comes on Sunday. He is a man who has never sought public glory or personal reward. Since a young man, Mr. Martin has always been so busy doing so much for so many that he never seemed to have time to engage in self-praise. Yet his reputation as a builder, a rare man of industry, a humanitarian and a civic leader was established early in his career. He is known only by his good deeds. His achievements have brought him fame not only in Alabama but throughout the South, across much of the United States and in many lands across the sea. He is our "Mr. Tom" and we are proud of him!

For just about 50 years now, Mr. Martin has been associated with the Alabama Power Company. He became general counsel of the company in 1911 after having served eight years as an assistant attorney general here at the Capitol. He rose rapidly in the young company, becoming president in 1920—a position he held until 1949. Since then, he has been chairman of the board of directors. As you know, the Power Company has helped promote and develop almost every county in the State. You are familiar, I am sure, with the significant contribution which this one company now makes to the Alabama economy. Mr. Martin has seen his company grow up with our State, and I hope he traces the Power Company's development in his address today.

Mr. Martin's business success alone marks him as a great man. But he did not stop here.

Let me remind you of just a few of his other noteworthy accomplishments. In 1937, he conceived and spearheaded the organization of our Alabama State Chamber of Commerce. In 1941, he was responsible for the creation of what is now the Southern Research Institute, a non-profit research facility where more than 300 scientists serve Southern industry. In 1947, he founded the Alabama Heart Association. In 1950, he was successful in getting Alabama's Dr. William Crawford Gorgas elected to the New York University Hall of Fame for Great Americans.

Mr. Martin is also a noted historian. In addition to a history of the Alabama Power Company, he has researched and written many papers dealing with Alabama history. He paid particular attention to the old Vine and Olive colony of West Alabama, securing an exhibit from France for our State Archives. When interest began to build up in establishing the Horseshoe Bend area as a national park, he took the lead, donating adjacent company land and succeeding in having it designated as the first national military park in Alabama.

Many honors have come Mr. Martin's way. No less than six colleges and universities have conferred honorary doctor's degrees on or guest. The Dothan Chamber of Commerce designated him in 1945 as "Alabama's Most Useful Citizen." Two years later, Forbes Magazine named him one of America's 50 foremost business leaders. He was Birmingham's man of the year for 1951. In 1954, Alexander City ran a special train into town to celebrate "Thomas W. Martin Day" there. On Southern Research Institute's 20th anniversary last year, a special "Thomas W. Martin Medal" was struck and presented to him as a surprise.

It was on his 75th birthday anniversary that John Temple Graves called Mr. Martin "the first citizen of Alabama." It is most appropriate that the Alabama Legislature has proclaimed next Sunday, his 80th birthday, as "Thomas W. Martin Day" in Alabama. Mr. Martin belongs to all the State,

and it is only right that a statewide celebration be held in his honor.

Mr. Martin was born in Scottsboro, Alabama, but spent most of his childhood in Montgomery. His father, you may remember, was Honorable William Logan Martin, Sr., who was attorney general of Alabama during 1889-1894. Mr. Martin, Sr. was later elected to the Legislature and died in 1907 just weeks after his selection as Speaker of this House. In his family were two sons and four daughters.

Our speaker's only brother, William Logan Martin, Jr., went on to become State Attorney General like his father. He served in 1915-1918, resigning to enter World War I. But before he volunteered, he engineered a massive raid on Phenix City, the first serious attempt to clean up the town. He died just two years ago.

Our distinguished guest comes, of course, from one of Alabama's finest families one of both prominence and ability.

With his 80th birthday only two days away, I think I would be justified in introducing Mr. Martin to you as an elder statesman. But I must tell you that he is younger in spirit, in ambition and in stamina than most of us. I admire him greatly, and it is with real personal pride that I present to you an industrial giant of our State, a true Alabamian who has blessed Alabama with his many talents—the Honorable Thomas W. Martin. Mr. Martin.

Thereupon Mr. Martin delivered the following address.

Governor Patterson, Lieutenant Governor Boutwell, The Speaker of the House, Mr. Ashworth, Senator Kendall, Representative Tom Beville and W. L. (Doc) Martin, Jr., and gentlemen of the Legislature.

It is particularly interesting that you have invited me at this time to address you. I am thinking that it is just fifty years since the era of power development really began in Alabama.

May I express deep appreciation to you for your unanimous action in extending the invitation and to all of those who have taken interest in bringing it about. Having read and reread the wonderful resolution you adopted, I feel exceedingly humble and unworthy of your beautiful expressions, which I interpret to be a recognition of the men and women who, through fifty and more years, have given of their lives and talents to a great public service.

And to you, Governor Patterson, I am deeply grateful for your willingness to come to this meeting and introduce me.

Your distinguished Speaker has performed a great service, not alone for the present generation, but for those who will come in the future, by obtaining and placing on the walls of the Speaker's office the pictures of former Speakers of this House. The Speaker and the clerk of the House, Mr. Oakley Melton, Jr., asked me some time ago to supply a picture of my father, William L. Martin, which I have done.

Now, let me say just this concerning my father. He served the state as attorney general for five years, 1889-1894. My brother, William Logan Martin, Jr., also served as attorney general, having been elected in 1914.

My father was commissioned to revise the Code of 1896. He and I practiced law for several years in Montgomery. He was a candidate for the Legislature from Montgomery County in 1906, was elected, and in January of 1907 was elected Speaker of the House. That service in the Legislature was in large part at the suggestion of the Honorable Braxton Bragg Comer, governor of the state.

After the House was organized and much of the work desired by Governor Comer was carried out, my father contracted a cold, which soon went into pneumonia; and he passed away on the 3rd of March 1907. Thus, he served less than ninety days as Speaker of the House, an honor which he greatly appreciated; and I do appreciate his picture being included with those distinguished men of our state who have served in that capacity.

The Speaker has left to me the privilege of introducing a distinguished Alabamian sitting nearby—the Honorable Massey Wilson. Native of Clarke County, he now resides at Oakhill on his plantation in Wilcox County—lawyer and farmer, as his letterhead reads.

Mr. Wilson was once the clerk of this House; a member of the House from Clarke County; a member of the Constitutional Convention of 1901 and, I believe, the last surviving member; elected attorney general 1903-1907; and I was his assistant attorney general.

On the death of my father, Mr. Wilson and I formed a partnership, Wilson & Martin—later to become Tyson, Wilson & Martin, on the resignation of Judge John R. Tyson from the office of Chief Justice of Alabama Supreme Court.

May I ask Mr. Wilson to stand. I will say more of him later.

FIFTY YEARS SINCE POWER PROGRAM BEGAN

It is particularly interesting, too, that this year 1961 is just fifty years since the actual effort was begun by Mitchell and associates, with which group I became associated. Therefore, I have the feeling that I am now making a report to the Legislature of Alabama concerning events which have come about as a result of legislative action in the year 1907, a report which I am very happy indeed to present; for I am proud of the things which have been worked out since then under the laws of our state by a tax-paying, investor-owned company.

My first expressions should be with reference to the laws of 1907, passed by the Legislature and approved by Governor Comer. They were revised and codified in the Code of 1907 and constituted an invitation to capital to come in and undertake power development.

Although these laws were passed in 1907, nothing was accomplished until late in 1911—over four years after they were passed. Then came to Alabama a Mr. James Mitchell, a stranger to the state and unknown to any citizen of the state prior to his coming. I make this very clear because those of us who were interested in working out the legal situation in 1907 had only a local group in mind, but recognized that it was a part of the general policy of the state to invite men and capital to undertake such developments in Alabama.

No one could have foreseen fifty years ago that Alabama Power Company would be called on to render its extensive service of the present day nor that it would have the many problems that have confronted it.

It seems almost axiomatic that those who have directed the Company over the half century have felt that it could not prosper unless the state prospered. Its managers for the time being have become torchbearers, accepting the responsibility passed on to them by their predecessors and endeavoring to pass on to their successors a healthy and dynamic entity.

ALABAMA POWER COMPANY ORGANIZED

No bells rang out when our Company was born fifty-five years ago, nor did any headlines blaze—in 1906. Nowhere was there an account of the organization of the Alabama Power Company in Gadsden on December 4, 1906, by William Patrick Lay, with his son Earl and his attorney, Oliver R. Hood, as incorporators.

On March 4, 1907, Alabama Power Company was authorized by special act of Congress to construct a dam and power plant at Lock 12 on the Coosa River, later developed and named Lay Dam in honor of Captain Lay.

In the year 1907, the horseless carriage was “guaranteed to go 100 miles in 24 hours, if good care is taken of it”; and when Theodore Roosevelt was brave enough to ride in an automobile, he was followed by a carriage. You could buy from Sears, Roebuck & Company a “chic and up to date style turban” hat for 99c, but the more expensive ones cost \$2.48.

But great history lay ahead. The fifty years of the active life of Alabama Power Company were to bring more history than any other equal span in the whole history of mankind: three wars—World War I, World War II, and the Korean conflict; three inventions that would transform all living—the automobile, the airplane, radio and television; and the discovery of how to accomplish atomic fission. Electricity was involved in all. There were three economic and social revolutions—the Russian, the Chinese, and the revolution that was to take place in the southern states of America, which our new company was destined to reflect, serve, and inspire through all the years.

LEGISLATION-1907

The first step necessary to obtain capital for hydroelectric development in Alabama was the enactment of laws by the Legislature which would protect the public and the investor. No state law authorized a dam to be built on a navigable stream, and federal statutes forbade construction of a dam without the consent of Congress.

The attorneys for the Montgomery group, Massey Wilson and I, had prepared the way by helping in the enactment of laws by the Legislature of Alabama in 1907 which would invite the necessary capital and grant the consent of the state to the construction of dams on navigable streams. These laws had much to do with the decision of James Mitchell to begin power development in Alabama; an invitation to capital to come in and develop its power resources was contained in these laws, at the same time requiring those who exercised such rights to serve the public at reasonable rates, all to be left to regulation by agencies to be created in the future.

Mitchell, having agreed with the owners on the purchase of the Cherokee Bluffs site, then worked out a plan with Captain Lay and associates to take over the Coosa River sites.

The program envisioned by the Mitchell group could be carried out only by massing capital and credit in one company to provide facilities for mass production and distribution of energy. It was a program to be carried forward by private initiative, with private capital; it was not to cost the federal government, the state or its counties one penny. It was one that would bring in its train vast increase in property and social values. It was destined to increase tax funds available for schools, public health work, the construction of good roads, and for other social services.

Power that had been going to waste through the centuries was to be harnessed and utilized. Navigation, with its attendant opening of avenues of transportation of a region involving several states, was to be improved. Industrial development of a great state was to be hastened by inducing industries to use power yet to be developed. Agriculture was to be stimulated by bringing in new population with purchasing power for diversified farm products. Benefits of electric light and power were to be extended beyond the large centers into the smaller communities of the state and eventually into rural districts.

All of this was to be done through a tax-paying investor-owned company and with confidence that it would receive fair treatment at the hands of the people of Alabama.

The incorporators of Alabama Power Company were made aware of the questions of size and of public trust from the beginning. Immediately after incorporation in 1906, it was necessary to secure both state and federal permission to build the first dam on the Coosa River, at Lock 12. And coincidentally as pointed out in our "Story of Electricity in Alabama," there were similar efforts of other groups on this and other rivers. But diversity of ownership and of planned development on the three suggested an insufficiency of size, an inadequacy of capital, and such physical difficulties as the fact that differing ownerships restricted dams to heights that would not cause backwaters to encroach on dam sites of other owners.

Over fifty years of active life have passed, and the Company is making commitments of millions of dollars in many areas of its work which will extend beyond the present decade.

ALABAMA POWER COMPANY CAPITAL

Our capital account is now something over \$500 million; and this capital has been accumulated over the past fifty years out of the savings of teachers, preachers, farmers, laborers, and housewives, as well as businessmen and bankers. This made it possible to meet the constantly increasing electric requirements of our customers, and it created many jobs. It is our responsibility to see that these savings are safeguarded and productively employed. In economic terms, one of the best ways of adding vitality to our system—while preserving freedom of choice—is to encourage the profit motive in business.

You might wonder: What have profits got to do with it? The answer is: Everything. The earning of a profit is the spark which ignites and

sustains our individual and free enterprise system. The search for profit is the main reason why people devote their time, their strength, their talents, their brain power, and their money to any business endeavor. For they know that when profits cease, their jobs are apt to cease also.

Looking at the decade on which we are entering, our capital requirements with the usual extensions and improvements of service will require not less than \$50 million per year. Thus you will see that the growth and development of the state as envisioned by us will require our Company alone to provide a sum equal to the capital requirements of the past fifty years. These requirements of \$50 million per year are simply for the present decade through the year 1970. And the requirements of other industry and commercial establishments will be several times our own new capital.

These great sums are needed to keep apace with the expected growth of the state. Thus, at 1970 our capital account, now over \$500 million, will likely be in excess of \$1 billion. All of this is significant and dependent on continuing the policy of the state declared by the Legislature of 1907, and of those who administer the laws, of fair treatment to tax-paying, investor-owned electric utilities, and on the approval of the various steps of this program by the Alabama Public Service Commission and the federal agencies.

Reviewing these long-time commitments at our July board meeting, I pointed out to the directors what we think is a proud record of contribution to growth and progress for the good of Alabama. The traditions of the past, the ethics and high performance of the many men who have participated in our enterprise have become a strong force in their influence on those of us who, for a brief span, have the responsibility of carrying the enterprise forward. And, as the Company has developed and grown, its policy-making decisions have been delegated to an ever-increasing number of people; and its business conduct has, we believe, reflected the public interest as it has existed from time to time.

LAY AND MITCHELL—1912

On May 1, 1912, when Captain Lay turned over the Company to James Mitchell and his associates, he said to Mr. Mitchell, in my law office in Montgomery:

"I now commit to you the good name and destiny of the Alabama Power Company. May it be developed for the service of Alabama."

And Mitchell and associates then laid out a 20-year plan that would create the enormous total of 600,000 horsepower of generating capacity that would cost upwards of \$100 million.

James Mitchell and I prepared a statement intended to express our own broad purpose to serve the ethical, moral, and even cultural values of the people of Alabama. Little published, it was as follows:

"A new Alabama and a new South, no longer poor but proud; a South coming into its rightful place; a South that would retain all the finest traditions of its glorious past but which, through that mysterious force

flowing silently through the thousands of miles of transmission lines, like life-blood to the human body, would grow richer and stronger industrially, and because of this would in turn grow stronger agriculturally. And the chain lengthens. Not only would the ordinary creature comforts follow in the wake of electricity, but there would be better educational facilities, better roads, and better homes. To make money is all right. To build any industry is fine. To build an industry that saves mankind from toil that it can well be spared, that reduces the labor and drudgery of woman and so provides leisure for education and culture, truly is a much finer thing."

And as the actual life of the Company thus began, on that May 1, 1912, this philosophy was destined to turn the mere name of a company into a living institution far greater than any individual connected with it.

What a dream—but destined to come true. In less than twenty years the Company had plants producing more than the 600,000 horsepower. Today it has more than three million eight hundred and seventy-three thousand (3,873,495) horsepower in operation or under construction.

It took faith in Alabama and the future, great foresight, and a high type of courage to undertake such a program and carry it to completion. The history of Alabama has many romantic passages, but with the arrival of this man from Massachusetts began a story whose quickly changing aspects and unexpected ramifications could hardly be expected to follow the launching of a mere business enterprise. Here was romance in high degree of this new citizen of Alabama.

MITCHELL, MARTIN—CHEROKEE BLUFFS

After the legal formalities at my office, Mr. James Mitchell and I returned to the Cherokee Bluffs site. He was deeply interested in the available head at that site and the head which would be available at the two sites downstream. But there was a provision in the laws of 1907 permitting power to be developed at the lower sites with water stored above in excess of the power there developed with the normal flow of the stream.

He turned to me and asked whether that could legally be done; I answered in my judgment it could, for it was provided for in the laws of 1907. And he asked me many other questions about Alabama's policy towards investment capital and if I would join him in the enterprise. Having complete confidence in this newcomer to our state and in the legal concept I answered I would be happy to do so.

There is a plaque on the viewhouse at that plant (now called Martin Dam), which is intended to perpetuate this incident. The inscription on it will be found on page 41.

COURT DECISIONS

It was mentioned earlier that Mr. James Mitchell met with the owners of the Cherokee Bluffs site. He had fully determined to take over that site and begin construction of the first part of the power program of the Company. However, problems developed which delayed this; litigation resulted, and the Company was successful in the Supreme Court of

Alabama (186 Ala. 622, 65 So. 287) and in the Supreme Court of the United States. But the courts recognized that the supplying of electric power to the public was a public use; and in the course of his opinion sustaining the judgment of the Alabama Supreme Court, Mr. Justice Holmes said:

"... to gather the streams from waste and to draw from them energy, labor without brains, and so to save mankind from toil that it can be spared, is to supply what, next to intellect, is the very foundation of all our achievements and all welfare." (240 U. S. 30).

Meanwhile, the Company determined to begin the construction of the Lock 12 site on the Coosa River; it was completed in 1914 within the time provided by the act of Congress.

EARLY FINANCING

Alabama Power Company was financed at the beginning in 1912 by James Mitchell's Alabama Traction, Light and Power Company, Ltd., a Canadian holding company, which marketed its securities in England. In this way, large sums were secured and used in the development of Lock 12 (Lay Dam) and other facilities. During World War I, as a result of economic and financial conditions in Europe, this source of capital was completely stopped. How this crisis was met belongs in a longer story, which we have written in a volume entitled "The Story of Electricity in Alabama Since the Turn of the Century—1900-1952." The Company survived principally because of the trust and confidence of others in its leading spirits. Often the only real security in the money marts was their character and integrity.

In these circumstances, it seemed proper that ownership of the common stock of Alabama Power Company should rest in an American company. I was authorized by the directors to go to England in 1924 to discuss with the principal common stockholders the matter of transferring ownership of the enterprise to an American company. The English investors had always shown a liberal attitude toward the Alabama development; and when the matter was presented to them, they expressed complete willingness to accept the change of holding companies.

Accordingly, Southeastern Power & Light Company was organized under the laws of Maine on September 2, 1924, of which I was president. In due course the properties and assets of the Canadian company were transferred to this new company, including the common stock of Alabama Power Company. Southeastern Power & Light Company later acquired the common stock of Georgia Power Company, Gulf Power Company, Mississippi Power Company, and South Carolina Power Company. It thus became the first vehicle in the South for an integrated electric power system, which has served the public to great advantage over the years and enabled our Company to market large amounts of surplus electricity.

Without regard to the political and economic disputes over more extensive electric power holding companies which were destined to follow in after years, it would seem that no one can consider the story of the organization of Southeastern Power & Light without recognizing the plain necessity and common sense of the interconnections and integrations made possible. To have failed in this measure against waste, inefficiency, and insufficiency in the use of one of nature's more precious and limited re-

sources would surely have been anything but economic and anything but American.

Alabama Power Company was destined to grow in size. Business units, whether concerned with electric power or with industry, must be large enough to support the scale of activity they are required to serve, the capital they need to invest, and the maximum economies and efficiencies they are called upon to achieve. Our Company has kept pace with the remarkable increase in demands for electric service in the area we serve, resulting from technological growth and improved standards of living, always providing in addition a margin or surplus of capacity to meet unexpected demands.

COOSA VALLEY-HORSESHOE BEND

The Coosa Valley, destined to be the genesis of hydroelectric development in the Southeast, must have presented an alluring appeal to the trained eye of James Mitchell when he first beheld it. Its spells had seized DeSoto over 350 years before; and the great adventurer, striking it at its northern extremity after wandering through Florida and Georgia, was so impressed with its natural beauties and evidences of wealth that he followed it until it merged into the coastal plain in south Alabama.

Pioneers coming into the Southeast whose routes led them to its confines rarely prospected further but were content to remain and make permanent homes. The Indians who had selected it from all the vast domain from Canada to Mexico as the most delightful place to build their wigwams loved it with a devotion that enabled them to hold a larger portion of it from English, French, and Spanish exploitation.

Of the great rivers of Alabama which our Company has chained for "lightnings that live in falling water," sentiment runs with the Tallapoosa 220 miles from its source in western Georgia to a point 22 miles north of Montgomery, where it joins the Coosa to form the Alabama. The great dam at Cherokee Bluffs which James Mitchell dreamed would be the first enterprise of the reorganized Company in 1912 was destined not to be completed until 1927. Nearby is the historic bend named Horseshoe, scene of the bloody and significant victory of Andrew Jackson over the Creeks in 1814. A committee of southerners, of which I was chairman, secured passage through the Congress in 1956 of a bill making the battle site a national military park.

And with regard to Horseshoe Bend, let me say that, as many of you know, the Legislature of Alabama appropriated \$150,000 to be used as needed in the purchase of lands in private ownership that would constitute a part of the national park. This was a very appropriate act by the Legislature; and it was my privilege to deliver the patent from the state, together with the gift deed of 560.66 acres from Alabama Power Company, to the Secretary of the Interior at Washington, April 24, 1959, at the time of the recognition by the government of the fulfillment of all the conditions under the act, thus completing the formalities for the Horseshoe Bend National Military Park.

I should add that work is in progress under the very effective leadership of the superintendent, Mr. Clarence L. Johnson; and in due time we will see a very beautiful program begun, physical and otherwise, on this 2,040 acres the United States now owns as a national military park.

"MOSQUITO SUITS"

A serious problem was brought on in 1914 by a multitude of lawsuits known as the "mosquito suits," filed soon after the completion of the development at Lock 12. The principal witness in the first trial was native Alabamian Doctor William Crawford Gorgas, famed for his studies and discovery of the means with which to combat and extinguish yellow fever and malaria. In simple, understandable language, Dr. Gorgas pointed out at the trial of the first case at Columbiana, Alabama, on February 11, 1915, that only a certain type of mosquito carried the malaria germ; that this type of mosquito was breeding in vessels and stagnant pools very close to the homes of the plaintiffs and not in the newly formed reservoir. The jury concluded that malaria was not the result of the reservoir and returned a verdict for the Company. All of the 1,100 suits were later dismissed as being completely unfounded.

DEATH OF MITCHELL

Every human plan and enterprise looks forward; they are essentially hopeful; it is tomorrow that we have in mind, and business success requires prophetic gifts—an intelligent capacity to plan ahead. Indeed, the prime requisite of management is vision. But prophetic gifts are rare and difficult to apply. There must be wisdom and ability to foresee with at least some clarity and confidence the needs of tomorrow—indeed, beyond tomorrow; for the future is where we will spend the rest of our lives.

A brief glimpse at the advent of James Mitchell into the state shows indeed a prophetic vision as he and his group took over the Company in 1912. In June 1919 Mr. Mitchell suffered a cerebral hemorrhage, from which he died soon afterwards. The directors authorized me, then vice president and general counsel, to assume the executive duties. This was followed by my election as president and later as chairman of the board, and thus I have served as the Company's principal executive officer since 1919.

James Mitchell died in 1920, but not before his philosophy began to find expression. He had demonstrated that he and those who were to follow him shared the philosophy of a development "for the service of Alabama." All were great salesmen in an era that called for salesmanship of the highest order.

It was logical to integrate the operations of all generating plants of the Company—hydro and steam; central load dispatching was essential and became one of the important phases of operation made effective through the coordinating group set up at the Magella substation of the Company near Birmingham. As the system was extended to include operations in adjoining states, so were the techniques of integrated operation expanded.

STEAM POWER PLANTS

It early became apparent that steam must be relied upon for our sum total of power requirements as well as for reserves against seasonal or incidental decline in hydroelectric supply. A small steam plant was placed in operation in Gadsden in 1913, but it was principally water power that turned the generators until 1917, when our first large steam-powered plant

was completed at Gorgas on the Warrior River. It was named for Dr. William Crawford Gorgas.

After the Gorgas Plant was completed unit after unit was added. We also constructed a large steam plant at Gadsden, in addition to the Chickasaw and Barry plants at Mobile, which I will now discuss.

MOBILE

In 1930, Oscar Thurlow and I visited the Mobile district and concluded that there was a greater future than was generally foreseen in that area and that we should acquire land on which a large steam plant could be erected and which would also be available to encourage large chemical and other industries.

The Chickasaw Steam Plant had been first erected; but the continued growth of the Mobile area made necessary a much larger steam plant, which was put in service in 1954 and named for James M. Barry, president of the Company at that time. The Barry Plant had an initial capability of 280,000 kilowatts in two units and is laid out for an ultimate capacity of one million kilowatts. A third unit has been completed, and the net capability is now 532,000 kilowatts.

Thus destiny marches on, directing the whole area of Alabama and the South now toward advances unprecedented in variety and degree, with electric power ever more indispensable to the advance. Today, with great strategic raw materials—forests, oil, gas, and salt—to vastly supplement greatly expanded activities in naval stores, lumber, shipbuilding, and sea trade, Mobile is one of the outstanding industrial areas in the economy of America.

One of the most important steps in the program was the building of the large steam plant in Shelby County on the Coosa River by Southern Electric Generating Company, jointly owned by Alabama Power Company and Georgia Power Company. This plant will contain a total of one million kilowatts of steam power. Three units have been completed, and it is anticipated that the fourth unit of 250,000 kw will be completed early in 1962. This plant uses coal from the Warrior and Cahaba coal fields and will represent a total investment, including coal mines, in excess of \$150 million.

Although we are continuing the construction of hydro plants on the Coosa and Warrior Rivers, it is necessary to bear in mind that continuity of service requires a large percentage of total power requirements to come from steam plants also; therefore, we have still further plans for new and large steam plants on our system. We are not prepared to announce them at this time.

The continued improvements in efficiency of steam units have made it feasible to use larger amounts of steam power. At year end 1960 we were producing about 20% from hydro plants and 80% from steam.

INCREASES IN POWER USES

America's growth is increasing annually as we celebrate our 50th birthday. It is estimated that the gross national product will show a gain

of 50% in the next ten years, rising from \$500 billion in 1960 to \$750 billion in 1970. That the South, and especially the deep Southeast, will do more than keep pace is indicated in our own studies.

In the last two decades, territorial sales of Alabama Power Company in the area we serve have increased from 1.6 billion kilowatthours in 1940 to 9.2 billion kilowatthours in 1960. The demand is now expected to double in the next eight years and to quadruple in the next sixteen years.

The average annual kilowatthour consumption by rural and farm customers increased from 1,072 in 1940 to 3,933 in 1960. This annual average is expected to increase to 5,700 kilowatthours by 1966, an increase of 45% over 1960.

In our urban homes, electrical energy consumption per residence increased from an average of 1,292 kilowatthours in 1940 to 4,331 in 1960. The goal for 1966 is 6,500 kilowatthours, an increase of 50%.

Our rates have been steadily reduced over the years, and there is no proceeding pending or contemplated looking to any rate increase. We invite comparison with other electric distributors, always bearing in mind the elements that tax-paying, investor-owned utilities have to meet.

Always, of course, there is the proviso that these goals of a prosperous future will be achieved only by wise management and vigorous effort and in a business climate where employees and public understand, approve, and firmly support the vast increase in capital requirements needed by industry and utilities.

FUTURE POWER SUPPLY; ATOMIC ENERGY

Insofar as the next two decades are concerned, a period during which the present generating facilities may have to be doubled each decade, Alabama Power Company will not neglect its conventional power supply from fossil fuels. In their use it enjoys a highly advanced art. Clear opportunities exist to carry it forward to new levels of technological and economical development. The Company must continue to supply adequate power to industry as well as to homes and farms, whether for national defense or peacetime prosperity.

In this effort, the great potential in the use of atomic energy is recognized. Even before passage of the Atomic Energy Act of 1954 first made possible participation by industry in atomic development, the Company was exploring the possibilities of adapting atomic energy to the generation of electric power.

We are associated with other companies in a project to design, construct, and operate a demonstration atomic energy plant of 100,000-kilowatt capacity. This will be the first large-scale atomic power plant using a breeder reactor which produces more atomic fuel than it burns.

It is expected that it will be many years before this type of plant will be able to produce power competitive with that from a conventional steam plant located in and near the Alabama coal fields. On the other hand, the experience in the design, construction, and operation of this plant will be invaluable when the time comes to locate atomic power plants on the Alabama Power Company's system.

COOSA DEVELOPMENTS

From the very beginning we had envisioned the complete development of the Coosa River. By 1929 the Company had completed three structures—Lay, Mitchell, and Jordan Dams—all embodying the ideas of power generation and navigation facilities.

The Rivers and Harbors Act of Congress of March 2, 1945, however, provided for a comprehensive development by the federal government of the water resources of the Coosa-Alabama River. In effect, it withdrew authority from the Federal Power Commission to grant any further license to develop on these rivers. Plans for government development were made by the Corps of Engineers, U. S. Army. But in the early 1950's, when Congress had failed to appropriate any funds, the Company asked Congress to restore the licensing jurisdiction of the Power Commission. This was done by an Act approved June 28, 1954. In due course, the Company applied to Federal Power Commission for a license to construct new dams and generating facilities at a cost of over \$100 million and to make additions to its Lay Dam and power plant. It is now estimated that these expenditures will more probably exceed \$150 million, and they are part of our estimate of total amounts of new capital required during this decade.

Completion of the entire Coosa project is expected to take approximately ten years from the beginning of construction. According to present plans, there will be eight dams between Rome and Wetumpka, consisting of four new dams of the Power Company, the three existing Power Company dams, and the existing Mayo's Bar navigation dam near Rome.

Consideration is being given to certain important changes in these plans which will add to the power capacity and to our increased cost.

The new dams will provide hundreds of miles of lakes and shore line for fishing and other outdoor recreation, as well as home sites on the lake fronts. Stabilization of river levels will make the area more inviting to industries requiring substantial amounts of water. In addition, the new dams, with the existing dams, will provide a waterway of sufficient depth to permit navigation from Rome to the Gulf of Mexico at Mobile, when locks are installed and dams below Montgomery are erected.

WARRIOR RIVER

On July 27, 1954, the Company filed an application with the Federal Power Commission for a preliminary permit for proposed developments on the Warrior River. The project contemplated a dam and power house on the Sipsey Fork of the Warrior River and the installation of electric generating facilities at the existing navigation dam of the U. S. Government at Lock 17 on that river, now known as the John Hollis Bankhead Dam. The navigation of the Warrior River will forever be a living monument to the vision and the statesmanship of Senator Bankhead. Certificate of convenience and necessity was granted by Alabama Public Service Commission and license was issued in due course by Federal Power Commission for the Warrior project.

By resolution of the board of directors of the Company on September 21, 1956, it is called Lewis M. Smith Dam in recognition of his leadership

and outstanding service as engineer and executive, which so markedly contributed to the development and achievements of this Company.

The dam, approximately 300 feet high, is at a site known as Upper New Hope, where the Sipsey Fork of the Warrior River divides Walker and Cullman Counties. The lake created by Smith Dam has an area of about 21,000 acres. It means still another Alabama locale for fishing and other outdoor recreation and provides a shore line of hundreds of miles for home sites for those who desire a lake front. No less important will be the reduction in downstream flood hazards from the flow of Sipsey Fork.

The proposed minimum water releases from Smith Dam and United States Lock and Dam No. 17 will be ample for the requirements of navigation to Mobile, and river traffic should flourish as a result. These releases will be helpful to Birmingham, and cities along the river, and will also create a condition attractive to industries needing substantial supplies of water in their operations.

The programs of the Company are creating jobs for young men of many talents—engineers, lawyers, accountants, scientists and many others. We use the talents of the young men of our state so far as they are available, and we hope for the continued cooperation of the colleges of our state in this program which is of such great public interest. It may be of interest to you to know that of the twelve general officers located in our main office building in Birmingham, ten are native Alabamians.

NEED FOR INDUSTRIAL DEVELOPMENT

In 1912 Alabama was in a strait jacket of a one-crop farming system. This source of livelihood, inadequate as it was, was getting worse due to loss of market and depleted soil. In 1920, the per capita income for farm population was \$140, lowest in the nation. Fluctuations in the yield of cotton per acre and the price per pound further aggravated the situation. Farmers were constantly forced to import grain and food crops, thus depleting the already small farm cash resources.

The farm population was growing much faster than improved farm land. This made it imperative for people to leave the farms or lower their standard of living. Urban centers in the state were unable to absorb those who left the farms, making it necessary to seek employment opportunities in other areas. Many of these migrants were young, ambitious, and intelligent people who were seeking to better themselves. These were the very people needed to help improve Alabama's economy.

In general, the areas with high purchasing power were industrialized areas. In 1920, over 55% of the jobs in Alabama were in farming and forestry and only 16% were in manufacturing and mechanical occupations. The remainder of the jobs were in distribution and service, which usually comes as a result of industrialization.

Alabama Power Company and other private and public agencies were profoundly aware of these conditions. They realized that if the state was to prosper there must come about a more varied economic development of Alabama, especially in those localities with extremely low purchasing power. There needed to be an emphasis on a better balanced agriculture,

as well as on the creation of more employment opportunities in manufacturing, trade, and service occupations.

In 1924, the Alabama Power Company organized the New Industries Department, now the Industrial Development Division, whose principal goal was the creation of jobs for the citizens of Alabama. This department was probably the first of its kind created by a public utility in the United States.

Since that time, the Company has worked in conjunction with the State of Alabama Planning and Industrial Development Board, of which Mr. Leland Jones is director, and with other utilities, railroads, governmental agencies, state and local officials, chambers of commerce, and private citizens to locate industry in Alabama. I would like to add that the Planning Board of the state, and, particularly, Governor Patterson himself have been most helpful in many of the efforts of recent times.

But it is the business also of the chief executive and the other officers. None of these functions would mean a thing without sales; they represent the beginning point, hence the indispensable element, in a successful utility operation. That Alabama is now highly dependent on industry is shown by the drastic changes in the jobs provided by agriculture, manufacturing, and the service industries. The percentage of workers engaged in farming has dropped from 55% in 1920 to 18% today, while the percentage of those engaged in manufacturing has risen from 16% to 28%. The remainder of jobs are to be found in the various service industries.

MANUFACTURE OF CUSTOMERS

A tax-paying, investor-owned utility has every reason to upbuild, to get money into the pockets of its customers and help them advance education, culture, and a high standard of living. Whatever else it produces it must seek always to produce well-being at home. We have engaged in what we have come to call the "manufacture of customers"—salesmanship at its best. Soon after the end of World War I, the Company increased its activities in this "manufacture of customers." We established a department for the purpose and, through it, stimulated citizens' groups generally to be active in an idea of diversified agriculture and industry. Years afterwards this original interest of officers of our Company was to result in the organization of an Alabama State Chamber of Commerce in 1937.

EXPANSION OF INDUSTRY

In an extensive report recently by W. Cooper Green, our executive vice president in charge of industrial development, he said in substance that our records show that from 1925 through 1960 eleven hundred and eighty-two plants were brought into existence, largely as a result of the work of this Company and the other agencies I've mentioned, with a total capital investment of \$941,803,500, employing 156,629, with an estimated annual payroll of \$293,114,150.

Since 1956, when records on expansions were first kept, through 1960, two hundred and sixty-two existing plants expanded, spending \$253 million, and added 17,252 employees, with an estimated annual additional payroll of \$52 million.

In recapitulation—the total capital invested in new plants for the period 1925-1960 and in the expansion of existing plants in the period of 1956-1960 brings the total figure of at least \$1,194,803,500; total of additional employees 173,881; and total annual payroll of \$345,114,150.

In the main, the wide distribution of power is the single indispensable factor in this movement; and it has exercised and will continue to exercise the greatest influence. It enables industry to locate at the most economic point with respect to raw material, labor, and climate. It is no longer necessary to move the worker to the power—modern science enables us to move the power to the worker.

Alabama Power Company has endeavored to discharge its responsibility in this vast field through the employment of competent industrial agents and to disseminate viewpoints and data to those who are interested in creating or expanding industry in our state.

INDUSTRIAL CLIMATE

Because of its great importance in the decisions of manufacturers to locate in our area, I would like to say a few words about industrial or business climate.

A fitting definition, I believe, would be "a climate where there is a fair industrial tax structure, and one where municipal and state officials create an attitude that lends an understanding ear to industry's problems."

Our municipal and state officials have done a grand job in creating and maintaining a fair industrial tax structure.

Without industry, there are no payrolls. It is the foundation of our complete economic society.

As representatives from different sections of Alabama, your leadership will be mainly responsible for the type of industrial climate that investors and manufacturers expect when they send their money or their plants into Alabama to make a profit.

RURAL SERVICE

If Alabama is to continue to progress and develop, the citizenship of our state must think more and more in terms of tomorrow. A greater volume of capital for future industrial development must be raised from year to year. Alabama is just now receiving serious consideration from a number of new enterprises. The policy of the state, therefore, will have much to do with the immediate future.

For "manufacturing" customers, the farm people of Alabama were an immense and obvious source, whose development could bring more improvements in living and working conditions than any other. Our Company addressed itself early to rural electrification and has persisted in that interest. Arrangements for participation were worked out with Alabama Polytechnic Institute in 1922 as a part of the Company's rural electrification program. By 1930, rural service had become one of this Company's chief aims. Those who directed these activities were looking forward to

the time when the Company would live by the side of the road to every home in Alabama, a friend to be called and used.

Today, electric service is available to 99% of the rural residents within the Alabama Power Company's service area.

In 1932, we established a Rural Electrification Award. Administered by Edison Electric Institute, it is given annually to the electric utility considered to have contributed most "to the rural life of the territory served by it through providing electric service, and for stimulating the improvement of the economic and cultural advantages of farm life."

Alabama Power Company earned the award in national competition several times, finally concluding to make no further presentation.

Many new industries have located in the small towns and in rural areas, mainly because power and labor were available. This increased employment has provided markets for the new products of the farmer, and the extension of electric service to new industries enabled the Company at the same time to bring electric service to the small communities and rural sections which otherwise could not have been served.

PRESIDENT KENNEDY: BUSINESS PROFITS

President Kennedy, in a talk to the National Industrial Conference Board, said—and I certainly agree with him—that the revenues and the successes of his administration depend on business profits and business success; that, far from being natural enemies, business and government are necessary allies. He pointed out that the 1960 drop of six to seven billion dollars in corporate profits cost the government enough taxes to pay—and I quote the President—"the federal share of all our anti-recession, health and education proposals for the next fiscal year. . . ."

The President also said this: "If . . . business and . . . government are necessarily partners, what kind of partnership is it going to be? Will it be marked by mutual suspicion and recrimination or by mutual understanding and fruitful collaboration?"

I for one do not believe we can afford the spectacle of guerilla warfare between business and government-sponsored power agencies—certainly not in this moment in history. We need all the energy we can muster to fight communist economic aggression.

Our integrity will be reflected in the service we offer. The future of the company I represent, indeed of our whole industry, depends directly on our ability to produce electric service exactly as we say it will perform, a service that establishes its own standard of integrity and dependability.

A corporation may be primarily a producer of goods and services, but it is more than just that. Our Company is a purposeful organization that can and must give more than just money to those who serve it and to those it serves. It should reflect in its daily actions the principles and aspirations of our society in its finest tradition; and this is in keeping with our public statement of May 1, 1912.

It may be no exaggeration to project the 1960's as the most critical and far-reaching ten years in the history of the world. In such a decade, America needs more than ever before an atmosphere of mutual trust and confidence among such major elements of our society as industry, labor, and government.

TAXES

The free enterprise system is the best means of insuring that goods and services will be produced by the most effective combinations of resources. But a tax structure that uses public funds at nominal interest, that exempts some and takes over 50% of the earnings of another is not consistent with this system. Such a structure permits one group to largely escape Federal and local taxes, and thus to underprice competitors and grow on retained earnings at the cost of other enterprises and the public.

Now I should say a word about taxes. It is not the policy of our Company to seek an exemption from taxes on any of its plants or facilities. We feel that it is better from the standpoint of the state and of our Company to meet our tax burdens.

You may be interested in knowing that the Company has paid to the state, counties and municipalities for the twenty-five years through 1960 a total of \$104,736,114, including \$34,343,565 for specific school funds; and to the federal government for income and various other taxes \$144,850,898; making a total of \$249,587,012 for state and federal governments. The total tax bill for the fifty years of the active life of the Company is, of course, far greater.

We trust that those who would place unfair and unreasonable burdens on the further progress of tax-paying, investor-owned electric utilities will bear this tax question in mind, along with the obvious importance to the state of greatly increased power facilities of such utilities.

THE C & S CORPORATION-THE SOUTHERN COMPANY

In 1929 we became member of what we now believe to have been too large and economically illogical a family. That was the era of great "holding companies" throughout the nation. Into a massive company known as the Commonwealth and Southern Corporation there were brought together Commonwealth Power Corporation, Penn-Ohio Edison Company, and South-eastern Power and Light Company. I was made the first president of this Commonwealth & Southern Corporation but resigned after two years, unable to agree with some of the policies and methods employed and their economic and social implications. In less than ten years the United States government ordered that corporation dissolved as not being a logical grouping under the 1935 act of Congress creating Securities and Exchange Commission.

Alabama Power Company and three other companies joined in making up a new holding company—The Southern Company. In 1949, this new company acquired the common stocks of Alabama Power Company, Georgia Power Company, Gulf Power Company, and Mississippi Power Company.

The four are today operated as an integrated system. Steam and hydroelectric generating stations and principal load centers are intercon-

nected by high-voltage transmission lines, the operation coordinated by a central dispatching agency in Birmingham to produce power as required at the lowest cost consistent with reliability of service. This was the method envisioned, it will be recalled, by our engineers in the Alabama Power Company's first days.

The Southern Company has over 122,000 stockholders; many of them are in Alabama. They have supplied millions of dollars for investment in our common stock, and will, we believe, continue to do so if we continue to have a policy of fair treatment from state and federal agencies.

"FEDERALISM"

Always, in our fifty-odd years, there has been our Uncle Sam.

We were faced in first infancy with federal law forbidding construction of a dam on any navigable waters without consent of Congress.

We have participated in the long story, still incomplete, of federalism on the Tennessee River, beginning for us with our purchase in 1912 of the Muscle Shoals Hyro-Electric Power Company, which owned the present sites of the Tennessee Valley Authority's Wilson Dam and Wheeler Dam. In 1916 Congress authorized a war plant for extracting nitrogen from the air and selected Muscle Shoals for development. Our property was turned over to the government for the production of electric power to be used in the production of war nitrates, by letter of President James Mitchell to Secretary of War Newton Baker dated February 18, 1918. It contained this significant statement:

"I believe you appreciate that it (the company) should receive consideration in the disposition of any surplus power not required for the needs of the Government."

The Secretary thanked the Company by letter of February 20, 1918, "for generous and public spirited action."

Wilson Dam was eventually completed by the government in 1925, and it was the keystone of the Tennessee Valley Authority project launched May 18, 1933. Little, if any, consideration was given to the condition expressed in James Mitchell's letter, though pressed by the Company time and time again, that it should receive consideration in the disposition of the surplus power.

On May 1, 1936, our Wheeler Dam site on the Tennessee also came into federal hands through sale of the site at nominal price to the TVA.

Faced with subsidized government competition, the entire Tennessee Electric Power Company and important parts of the power systems of Alabama Power Company and the Mississippi Power Company in the area were sold to TVA and to municipal and various systems in the TVA area, at substantially less than book value.

Those were bad-tempered days. But by 1939 TVA had acquired a market which absorbed its power, and the demands of a growing South began calling for additional power capacity. We have endeavored to main-

tain a co-existence with the federal agency. On many occasions during the past 20 years power has been sold or exchanged between TVA and our Southern Company group.

RESEARCH

Ours has been the double task of growing with the land and helping it grow. For we are concerned with new industries, new agriculture, wider and better activity of existing industry and agriculture and a general lifting of standards of living and working. All these have to do with that ultimate economic program which we call the "manufacture of customers." But there was, too, the inclusion in our activities and interests of scientific research, which would launch us and our customers into new fields, new methods, new knowledge of that infinite number of things just waiting to be found. This might be called the manufacture of ideas to do for our customers and things for our customers to do. In this philosophy we participated deeply in the founding and growth of Southern Research Institute. This effort, begun in 1930, resulted in organizing Southern Research Institute in 1941.

It early appeared that we in the South were at a serious disadvantage in respect to the creation of jobs through research, because of deficiency in technological facilities.

The South needed a new form of pioneering, a way by which science and technology could be provided for the smaller industries that could not provide such facilities for themselves. But it demanded some of the same bravery and daring that the founders of the Company showed in its early days. The voice of science had influenced life and progress in other areas of America; it was little heeded in the Southeast. It fell to the lot of some with the Power Company to organize that effort—"to search out and seek wisdom and the reason of things." This work was begun with the aid of Alabama businessmen.

The officers of the Company took leading parts in the organization of Alabama Research Institute in 1941. Benjamin Russell was named the first chairman; his untimely death in 1941, shortly after the Institute was organized, led to my election as chairman, which position I have held since that time.

The name was later changed to Southern Research Institute, and research began in October 1944.

In the years that have followed, the Institute has continued to increase in volume of work and in usefulness to both the South and the nation. A part of the facilities of the Institute have gradually been devoted to cancer research in affiliation with Sloan-Kettering Institute for Cancer Research. Progress has been real in this respect, said Dr. Howard E. Skipper, assistant director of the Southern Research Institute, in charge of cancer research, on a recent occasion.

It is more nearly pure research, but the results are immediately put into the hands of those who can best use them. Biochemists of the Institute are developing many compounds, testing them on thousands of laboratory mice in hundreds of different experiments. Compounds reacting favorably are sent to Sloan-Kettering Institute for Cancer Research for further trial.

The funds for much of this research come from individuals, foundations, and from the American Cancer Society, which has made several grants to the Institute.

The origin and growth of Southern Research Institute are of great significance to the South.

Thus the Institute exemplifies the spirit of the new South, its sense of manifest destiny, its technological revolution.

We can no longer think of a philosophy or desire for better things as meeting our requirements. Such a philosophy is not the experiment, nor indeed the test of an idea. No longer are we thinking of the ideals of research and simply stopping there; everywhere in the South there is an awareness that we need more research and that the rest of the country will not wait for the South to catch up.

The markets we see for electric service in our area are almost unlimited. Economic forces responsible for the rising standard of living, multiplied more and more by the results of technological research, will double back upon themselves. Better health and education, increased leisure, culture and living and working comfort are themselves stimulants to economy and technology.

And electricity itself, as contrasted with the steam power of other days, makes for the sort of industrial setups that expand a people's economy and life. It is a decentralizer. With it you can turn wheels anywhere from anywhere, press a button or twist a knob and bring all things to your home or shop. This means room to breathe and grow and be free and have gardens and other recreation facilities. The same electric power industry which is creating the beautiful lakes above power dams in our state also is making opportunities for better incomes, leisure and ideals of living. The lakes are a haven not only for sportsmen, but for those who want to reside on their shores.

Trained and inspired leadership is developing to make the most of our resources, to the end that life in our homes and mills and factories, and indeed in our minds and hearts be enriched till all of us shall have dreams realized as we have the benefit of the installation in solid fact of the visions of the prophets and seers of all the yesterdays.

The blessedness of being behind and catching up! That is a blessedness science is bringing to our southern states. Up from far behind we come with great natural wealth, with presently more rapid growth and happier prospect than any other part of the country. When I say the last half of the 20th century belongs to the South, one reason I am so sure is this fact of having come up from behind. It means we have advantage of the experience, mistakes, and wrong turns of other regions. It means we leapfrog some of the older areas to a new day.

DIRECTORS AND OFFICERS

Let me say now something about the directors and officers of the Company.

We adopted the policy years ago of inviting men of the state not directly connected with the Company to join our board of directors. We felt that the public, through representative citizens, was entitled to know about our affairs; and this policy we have maintained. Many of our directors, twenty-two in number, are present today; and I salute them as they sit in the balcony of this distinguished chamber. I express great appreciation to them for their willingness to serve on our board for many years, as many of them have; and we believe they have earned recognition and are entitled to it at any time our Company or any of its officers are recognized.

Now as to the officers. Some years ago, I gave up the title of president to become chairman of the board, retaining the responsibility as chief executive.

One of the most important jobs an executive of a company can do is to provide for his successor. Through the years, it has been my policy to invite others to come into major positions of the Company, with the approval of the board, looking to great responsibilities.

In due time, Walter Bouldin was elected president; and he is today. He and I both are natives of Scottsboro, Alabama. Our fathers practiced law together in the city of Scottsboro; and later, as many of you know, Judge Bouldin, Walter Bouldin's father, was elected to the Supreme Court and rendered a distinguished service for many years in that capacity.

There are three executive vice-presidents: H. Neely Henry, a native of Marshall County, has been with the Company for thirty seven years; W. Cooper Green, native of Jefferson County, joined the Company some eleven years ago, after a long record of distinguished service as mayor of Birmingham and in other important public offices; Edwin I. Hatch, native of Perry County, Alabama, has been in the legal and executive work of the Company for some twenty-five years.

It is but natural to expect that in due course someone else will take over the management of our Company; and I would like to say that it is my own judgment that any one of those mentioned will be fully equal to the responsibility when that time comes.

I mention these simply as representatives of officers, executives, and other employees who are natives of Alabama and occupy important positions of trust in the Company.

FIFTIETH ANNIVERSARY

And thus, we come to this 50th anniversary year of 1961. Our record is still being written in performance to be judged by the public and by the nearly seven hundred thousand customers of our Company, our security holders, and our employees.

Captain Lay and James Mitchell had the dream of electric service to mankind; and if we will recognize that there is a definite time before an idea can become useful to mankind, the future is the greatest natural asset we have. You make it of value, depending upon how you think.

With willing hands and open minds, the future will be greater than the most fantastic story we could write today.

We recognize a triple responsibility—to the public, to our employees, and to our security holders—and our obligation to try to maintain a just balance among these three groups. The Company, and every man and woman in our organization, takes a constructive interest in community affairs, contributing of time and effort to worthy civic undertakings and supporting them financially; and we will continue to encourage among our employees a realization that citizenship carries with it duties as well as privileges.

We consider employees as individuals whose well-being and protection are part of our job. One of our first activities in this respect was in the field of safety. The Company became a member of the National Safety Council in the Council's first year, and our employees have several times won the Council's annual award for electric utility companies. We have believed that the human being is more important than the product. "Even though our service may suffer thereby, or our costs be increased," declares a policy statement enunciated by James M. Barry while president of Alabama Power Company, "we want our employees always to take the safe way. There can be no operating condition which justifies their taking the slightest chance in performing their work."

A corporation, they say, has no soul. If you're part of a corporation, as I am, it's hard to believe that. You like to think that you, yourself, have a soul. And corporations are only a lot of individuals who have pooled their savings to carry on an enterprise. I make bold to predict that corporations and business management are going to show more and more of that soul, more and more social consciousness. Indeed, I feel that the social consciousness of the American businessman is one of the bright, distinguishing marks of the American form of capitalism, a quality perhaps too little honored.

In 1906 no one could have foreseen the increased uses of electricity and the uplift it would give to the individual in his personal life, as well as to his life as a worker. In every age, there have been new principles just around the corner, and that corner is still ahead of us today. The future is bright—of that we may be sure.

We and those who have preceded us have been in the midst of creative history for fifty years. It is an unfinished book. Some few are mentioned by name; others known to all of us entered the story. They wrought well in their own time and place, leaving the story for others to complete. All the efforts and works of those who go before are without lasting value and significance except for those who follow.

"For a brief space it is granted us," said a noted writer, "if we will, to enlighten the darkness that surrounds our path. As in the ancient torch race . . . we press forward torch in hand along the course. Soon from behind comes the runner that will outpace us. All our skill lies in giving into his hand the living torch, bright and unflickering, as we ourselves disappear in the darkness."

Such has been our effort, and it is to our co-workers over the years that my remarks are intended.

If I have spoken much of history, we should be more interested in the years ahead; that is where we will be spending the rest of our lives.

The faith and bravery and daring that the founders showed in the early days of the Company have characterized its life. Their continuation is indicated in a recent incident:

When our Operating Forum was held in Atlanta on April 20, 1954, I concluded the meeting with an expression which has come to be a living concept for us all. Pointing to the progress made in bringing the South nearer the economic levels of other parts of the country by going ahead at a faster rate than other parts, I said that—

THE LAST HALF OF THE TWENTIETH CENTURY BELONGS TO THE SOUTH!

The slogan is written in the record of the first half of the century and in the animations at its mid-point. It is in the markets, the raw materials, the labor, the falling and running and boiling waters. It is in the pulse and heart and mind of such men as have made and will be making Alabama Power during the next half century.

Many of us believe that the last half of the 20th century belongs to the South. But our people must make certain of their promised larger share of the nation's economic and cultural and spiritual growth. The policy of state and federal government toward industry and business should deeply concern responsible heads of all government agencies.

Ladies and gentlemen, our great days are ahead. In every area of concern to man we are still camped at the beachheads. The road into the unknown is still being charted. Carefully chosen were those words of the brilliant writer Barbara Ward Jackson:

"The environment of the Twentieth Century is not designed for the static, the stagnant, the complacent, or the smug. It is designed for men who dare greatly and dream greatly and let their work catch up with their dreams."

As you must feel from this all-too-brief review, there is evidence that men fifty years ago were daring greatly and dreaming greatly, and are still daring and dreaming greatly.

The Lieutenant Governor and Presiding Officer of the Senate announced that the purpose of the joint session having been accomplished, the Senate would retire to its Chamber.

In accordance with the motion of Mr. Martin heretofore adopted, the House recessed until 2:30 o'clock this afternoon.

AFTERNOON SESSION

The hour of 2:30 o'clock P.M. having arrived, the House reconvened. The Speaker called the House to order.

MOTION TO SUSPEND RULES LOST

The motion of Mr. Gilchrist to suspend the rules in order to allow the Standing Committees to report was lost.

Yeas 56; Nays 44.

Yeas:

Mr. Speaker	Edwards	Jenkins	Pierce
Bailey	Engel	Johnson (Hardaway)	Powell
Bishop	Franklin	Johnson (J. T. Tom)	Rast
Boyd	Gilchrist	Locke	Reynolds (Chambers)
Brannan	Glass	Long (Perry)	Roberts
Branyon	Goldthwaite	McClendon (Chambers)	Rozelle
Brewer	Goodwyn	McCorquodale	Self
Britton	Gross	McLendon (Bullock)	Sessions
Broadfoot	Hanby	Martin	Speaks
Cabiness	Harris	Meade	Torbert
Callahan	Harvey	Morrow	Trimmier
Cates	Hawkins	Owens	Turner
Copeland	Hearn	Perry	Turnham
Dodd	Ingram	Phillips	Vickers

—56

Nays:

Messrs.	Daniel	Jones (Covington)	Reynolds (Madison)
Albea	Dunn	Jones (Monroe)	Rogers
Avery	Faulk	Lee	Salter
Barnett	Gilmer	Merrill	Shumate
Bassett	Gordon	Murphy	Smith (Russell)
Bevill	Grant	Nettles	Smith (St. Clair)
Brooks	Grouby	Nichols	Solomon
Camp	Guthrie	Oakley	Steagall
Casey	Hain	Oden	Sullivan
Chambers	Hardy	Ramey	Taylor
Cook	Johnston (Leonard)	Ray	Thomas
Cornett			

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 3. To appropriate from any funds in the State Treasury to the credit of the General Fund the sum of \$75,000, in addition to any appropriation heretofore made, for the purpose of completing construction and equipment of a building at Auburn, Alabama for the State Toxicologist, and to further provide for such construction.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 244. To divide the state of Alabama into eight Congressional districts:

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

Mr. Lee moved that the House concur in and adopt the Senate amendment to the bill, H. 244, said Senate amendment being as follows:

Amend House Bill No. 244 as follows:

Strike all of Section 1 from said bill and add immediately after the words: "BE IT ENACTED BY THE LEGISLATURE OF ALABAMA" the following words:

"Section 1. That the State of Alabama is hereby divided into eight Congressional Districts as follows:

The 1st District shall be composed of the counties of: Choctaw, Wilcox, Clarke, Monroe, Washington, and Mobile.

The 2nd District shall be composed of the counties of: Baldwin, Butler, Conecuh, Covington, Crenshaw, Escambia, Lowndes, Montgomery, and Pike.

The 3rd District shall be composed of the counties of: Barbour, Lee, Macon, Russell, Coffee, Dale, Henry, Geneva, Houston and Bullock and Chambers.

The 4th District shall be composed of the counties of: St. Clair, Calhoun, Talladega, Clay, Coosa, Autauga, Elmore, and Precincts (or beats) 12, 20, 10, 11, 44, 15, 59, and 13 in Jefferson County, as constituted on August 1, 1961.

The 5th District shall be composed of the counties of: Marshall, DeKalb, Etowah, Cherokee, Cleburne, Blount, Randolph, Tallapoosa, and Precincts (or beats) 16, 22, 42, 52, 45, 29, 38, 39, 21, 19 and 50 in Jefferson County, as constituted on August 1, 1961.

The 6th District shall be composed of the counties of: Tuscaloosa, Marengo, Greene, Hale, Dallas, Bibb, Sumter, Perry, Chilton, Shelby and Precinct (or beat) 25 in Jefferson County, as constituted on August 1, 1961.

The 7th District shall be composed of the counties of: Marion, Winston, Cullman, Lamar, Fayette, Franklin, Walker, Pickens and Precincts (or beats) 33, 53, and 9 in Jefferson County, as constituted on August 1, 1961.

The 8th District shall be composed of the counties of: Lauderdale, Limestone, Madison, Jackson, Colbert, Lawrence and Morgan."

POINT OF ORDER BY MR. GOODWYN

Mr. Goodwyn raised a point of order that under the Rules of the House the Speaker should cause the Journal of the House to be read before receiving Messages from the Senate, and that the reading of the Journal of the House took precedence over Messages from the Senate.

The point of order of Mr. Goodwyn was overruled and denied by the Chair.

POINT OF ORDER BY MR. BROADFOOT

Mr. Broadfoot raised a point of order that the Speaker had not complied with Rules 1 and 2 of the Rules of the House.

The point of order of Mr. Broadfoot was overruled and denied by the Chair.

CONSIDERATION OF H. 244 RESUMED

The question was on the motion of Mr. Lee that the House concur in and adopt the Senate amendment to the bill, H. 244.

MOTION TO ADJOURN LOST

The motion of Mr. Roberts that the House adjourn until Tuesday, August 15, 1961, at twelve o'clock, noon, was lost.

Yeas 34; Nays 57.

Yeas:

Mr. Speaker	Gilchrist	Jenkins	Pierce
Branyon	Glass	Locke	Rast
Brewer	Goldthwaite	McClendon (Chambers)	Roberts
Callahan	Goodwyn	Meade	Self
Dodd	Hanby	Morrow	Sessions
Dunn	Hankins	Murphy	Trimmier
Edwards	Harris	Oakley	Turner
Engel	Harvey	Perry	Vickers
Franklin	Hawkins		

—34

Nays:

Messrs.	Brannan	Cook	Grant
Adams	Britton	Copeland	Gross
Albea	Brooks	Cornett	Grouby
Avery	Cabiness	Daniel	Guthrie
Bailey	Camp	Faulk	Hain
Barnett	Casey	Ferguson	Hardy
Bassett	Cates	Gilmer	Ingram
Bevill	Chambers	Gordon	Johnston (Leonard)

Jones (Covington)	Oden	Reynolds (Madison)	Smith (St. Clair)
Lee	Owens	Rogers	Speaks
McCorquodale	Phillips	Rozelle	Steagall
McLendon (Bullock)	Powell	Salter	Sullivan
Merrill	Pruitt	Shumate	Taylor
Nettles	Ramey	Smith (Russell)	Turnham
Nichols	Ray		

—57

CONSIDERATION OF H. 244 RESUMED

The question was on the motion of Mr. Lee that the House concur in and adopt the Senate amendment to the bill, H. 244.

UNANIMOUS CONSENT GRANTED

Mr. Owens requested unanimous consent to introduce a bill out of order, and it was so granted.

INTRODUCTION OF BILL

The following bill was introduced, read one time and referred to appropriate standing committee, as follows:

By Mr. Owens (With Notice and Proof)

H. 1340. Relating to Crenshaw County; levying a license tax on persons and others engaging in selling tangible personal property at retail and on persons and others conducting places of amusement in said county, the said tax to be measured by the gross receipts or gross proceeds of such businesses; levying an excise tax on the storage, use or other consumption in said county of tangible personal property purchased for use, storage or other consumption in said county; specifying sales and transactions that are exempt from the measurement of the said license tax; specifying property the use, storage or other consumption of which is exempt from the said excise tax; providing for payment of said taxes, making reports and maintaining records with respect thereto, the collection of the said taxes, and the enforcement of the provisions of this act; making applicable to the taxes herein levied, and adopting by reference, certain provisions of Act No. 100 adopted at the 1959 Second Special Session of the Legislature of Alabama and of Article 11 of Chapter 20 of Title 51 of the Code of Alabama, as amended; providing that the Commissioner of Revenue and the State Department of Revenue shall have all powers and duties respecting the taxes herein levied and the collection thereof that they have under said Act No. 100 and said Article 11, as amended as aforesaid; providing for collection of said excise tax by sellers registered under Section 790 of Title 51 of the Code of Alabama of 1940, as amended; providing that the said license tax shall be added to the sales price or admission fee and passed on to the purchaser or person paying the said admission fee; providing for a discount to persons subject to the said license tax and to such registered sellers; providing for a charge by the State Department of Revenue for collecting the taxes herein levied; and providing for the use of the revenues from said taxes.

Local Legislation No. 1

Notice and Proof H. 1340

NOTICE

TO WHOM IT MAY CONCERN:

Notice is hereby given in accordance with Section 106 of the Constitu-

tion that application will be made at the 1961 Regular Session of the Legislature for enactment of a local law affecting Crenshaw County in substance as follows:

AN ACT to provide additional revenue for educational purposes in Crenshaw County; to levy a license tax on persons and others engaged in selling tangible personal property at retail and on persons and others conducting places of amusement in said county, the said tax to be measured by the gross receipts or gross proceeds of such businesses; to levy an excise tax on the storage, use, or other consumption in said county of tangible personal property purchased for use, storage, or other consumption in said county; to specify sales and transactions that are to be exempt from the measurement of the said license tax and to specify property the use, storage, or other consumption of which is to be exempted from the said excise tax; to provide for payment of said taxes, making reports and maintaining records with respect thereto, the collection of the said taxes, and the enforcement of the provisions of the Act; to make applicable to the taxes levied, and to adopt by reference, certain provisions of the state sales and use tax statutes, as amended, and to provide that the commissioner of revenue and the state department of revenue shall have all powers and duties respecting the taxes levied and the collection thereof as they have under the state sales and use tax laws, as amended; to provide for collection of said excise tax by sellers registered with the state department of revenue as required by law; to provide that the said license tax shall be added to the sales price or admission fee and passed on to the purchaser or person paying the said admission fee; to provide for a discount to persons subject to the said license tax and to such registered sellers; to provide for a charge by the state department of revenue for collecting the taxes; and to provide for the use of the revenues derived from said taxes.

AFFIDAVIT PROOF OF PUBLICATION

State of Alabama
Crenshaw County

Before the undersigned Notary Public personally came Mary F. Reeder, who being duly sworn says upon oath that she is Publisher of a newspaper published at Luverne, Crenshaw County, Alabama, known as The Luverne Journal, and that the notice of publication, a true copy of which is hereto annexed, and being entitled:

NOTICE TO WHOM IT MAY CONCERN Notice is hereby given in accordance with Section 106 of the Constitution that application will be made at....was published in said newspaper, once a week for 4 consecutive weeks, to-wit in the issues of said newspaper dated: July 19, 1961 (1) July 26, 1961 (2) August 2, 1961 (3) August 9, 1961 (4).

s/ MARY F. REEDER,

Sworn and subscribed to before me this 8-10-1961.

s/ VONCILE R. NICHOLS,
Notary Public.

My Commission Expires 3-8-65.

CONSIDERATION OF H. 244 RESUMED

The question was on the motion of Mr. Lee that the House concur in and adopt the Senate amendment to the bill, H. 244.

MOTION TO SUSPEND RULES LOST

The motion of Mr. Edwards to suspend the rules in order to introduce local bills out of order was lost.

Yeas 40; Nays 57.

Yeas:

Mr. Speaker	Edwards	Hawkins	Perry
Bishop	Engel	Jenkins	Pierce
Boyd	Franklin	Johnson (Hardaway)	Rast
Branyon	Gilchrist	Johnson (J. T. Tom)	Reynolds (Chambers)
Brewer	Glass	Locke	Self
Broadfoot	Goldthwaite	Long (Perry)	Sessions
Callahan	Goodwyn	McClendon (Chambers)	Torbert
Copeland	Hankins	Morrow	Trimmier
Dodd	Harris	Murphy	Turner
Dunn	Harvey	Oakley	Vickers

—40

Nays:

Messrs.	Chambers	Johnston (Leonard)	Pruitt
Adams	Cook	Jones (Covington)	Ramey
Albea	Cornett	Jones (Monroe)	Ray
Avery	Ferguson	Lee	Reynolds (Madison)
Bailey	Gilmer	McCorquodale	Rogers
Barnett	Gordon	McLendon (Bullock)	Smith (Russell)
Bassett	Grant	Martin	Smith (St. Clair)
Bevill	Gross	Merrill	Solomon
Brannan	Grouby	Nettles	Speaks
Britton	Guthrie	Nichols	Steagall
Brooks	Hain	Oden	Sullivan
Cabiness	Hanby	Owens	Taylor
Camp	Hardy	Phillips	Thomas
Casey	Hearn	Powell	Turnham
Cates	Ingram		

—57

CONSIDERATION OF H. 244 RESUMED

The question was on the motion of Mr. Lee that the House concur in and adopt the Senate amendment to the bill, H. 244.

MOTION TO ADJOURN LOST

The motion of Mr. Broadfoot that the House adjourn until Tuesday, August 15, 1961, at ten o'clock A.M. was lost.

Yeas 38; Nays 56.

Yeas:

Mr. Speaker	Edwards	Johnson (Hardaway)	Pierce
Bishop	Engel	Johnson (J. T. Tom)	Rast
Boyd	Gilchrist	Locke	Reynolds (Chambers)
Branyon	Goldthwaite	Long (Perry)	Self
Brewer	Goodwyn	McClendon (Chambers)	Sessions
Broadfoot	Hankins	Morrow	Torbert
Callahan	Harris	Oakley	Trimmier
Cook	Harvey	Owens	Turner
Copeland	Hawkins	Perry	Vickers
Dodd	Jenkins		

—38

Nays:

Messrs.	Cornett	Hearn	Pruitt
Albea	Daniel	Ingram	Ramey
Avery	Faulk	Johnston (Leonard)	Ray
Bailey	Ferguson	Jones (Covington)	Reynolds (Madison)
Barnett	Gilmer	Jones (Monroe)	Rogers
Bassett	Glass	Lee	Rozelle
Bevill	Gordon	McCorquodale	Shumate
Brannan	Grant	McLendon (Bullock)	Smith (St. Clair)
Britton	Gross	Merrill	Solomon
Brooks	Grouby	Nettles	Speaks
Cabiness	Guthrie	Nichols	Steagall
Camp	Hain	Oden	Sullivan
Casey	Hanby	Phillips	Taylor
Cates	Hardy	Powell	Thomas
Chambers			

—56

CONSIDERATION OF H. 244 RESUMED

The question was on the motion of Mr. Lee that the House concur in and adopt the Senate amendment to the bill, H. 244.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Perry to suspend the rules in order that the time for Mr. Sessions to speak be extended ten minutes was adopted.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Brewer	Daniel	Goodwyn
Adams	Broadfoot	Dodd	Gordon
Albea	Brooks	Dunn	Grant
Bailey	Cabiness	Edwards	Gross
Barnett	Callahan	Engel	Grouby
Bassett	Camp	Faulk	Guthrie
Bevill	Cates	Ferguson	Hain
Bishop	Chambers	Gilchrist	Hanby
Boyd	Cook	Gilmer	Hankins
Brannan	Copeland	Glass	Hardy
Branyon	Cornett	Goldthwaite	Harvey

Hawkins	McClendon (Chambers)	Pierce	Self
Hearn	McCorquodale	Powell	Shumate
Ingram	McLendon (Bullock)	Pruitt	Solomon
Jenkins	Meade	Ramey	Steagall
Johnson (Hardaway)	Morrow	Rast	Sullivan
Johnson (J. T. Tom)	Nettles	Ray	Taylor
Johnston (Leonard)	Nichols	Reynolds (Chambers)	Thomas
Jones (Covington)	Oakley	Reynolds (Madison)	Torbert
Jones (Monroe)	Oden	Roberts	Trimmier
Lee	Owens	Rogers	Turnham
Locke	Perry	Rozelle	Vickers
Long (Perry)	Phillips	Salter	

—91

MOTION TO ADJOURN LOST

The motion of Mr. Gilchrist that the House adjourn until Tuesday, August 15, 1961, at ten o'clock A.M. was lost.

Yeas 41; Nays 56.

Yeas:

Mr. Speaker	Franklin	Johnson (Hardaway)	Perry
Bishop	Gilchrist	Johnson (J. T. Tom)	Pierce
Boyd	Glass	Locke	Rast
Branyon	Goldthwaite	Long (Lauderdale)	Reynolds (Chambers)
Brewer	Goodwyn	Long (Perry)	Roberts
Broadfoot	Hanby	McClendon (Chambers)	Self
Callahan	Hankins	Meade	Sessions
Dodd	Harvey	Morrow	Torbert
Dunn	Hawkins	Murphy	Trimmier
Edwards	Jenkins	Oakley	Vickers
Engel			

—41

Nays:

Messrs.	Chambers	Hearn	Ramey
Adams	Cook	Ingram	Ray
Albea	Cornett	Jones (Covington)	Rogers
Avery	Daniel	Jones (Monroe)	Rozelle
Bailey	Faulk	Lee	Salter
Barnett	Ferguson	McCorquodale	Shumate
Bassett	Gilmer	McLendon (Bullock)	Smith (St. Clair)
Bevill	Gordon	Merrill	Solomon
Brannan	Grant	Nettles	Speaks
Britton	Gross	Nichols	Steagall
Brooks	Grouby	Oden	Sullivan
Cabiness	Guthrie	Phillips	Taylor
Camp	Hain	Powell	Thomas
Casey	Hardy	Pruitt	Turnham
Cates			

—56

CONSIDERATION OF H. 244 RESUMED

The question was on the motion of Mr. Lee that the House concur in and adopt the Senate amendment to the bill, H. 244.

MOTION TO ADJOURN LOST

The motion of Mr. Morrow that the House adjourn until Tuesday, August 15, 1961, at twelve o'clock, noon, was lost.

Yeas 40; Nays 51.

Yeas:

Mr. Speaker	Edwards	Johnson (Hardaway)	Owens
Bishop	Engel	Johnson (J. T. Tom)	Pierce
Boyd	Franklin	Locke	Rast
Branyon	Gilchrist	Long (Perry)	Roberts
Brewer	Glass	McClendon (Chambers)	Self
Broadfoot	Goldthwaite	Meade	Sessions
Callahan	Hanby	Morrow	Torbert
Copeland	Harvey	Murphy	Trimmier
Dodd	Hawkins	Nichols	Turner
Dunn	Jenkins	Oakley	Vickers

—40

Nays:

Messrs.	Cook	Hardy	Ramey
Albea	Cornett	Hearn	Ray
Avery	Daniel	Ingram	Reynolds (Madison)
Bailey	Faulk	Jones (Covington)	Rogers
Barnett	Ferguson	Jones (Monroe)	Rozelle
Bassett	Gilmer	Lee	Salter
Bevill	Gordon	McCorquodale	Shumate
Britton	Grant	McLendon (Bullock)	Solomon
Brooks	Gross	Merrill	Speaks
Camp	Grouby	Nettles	Steagall
Casey	Guthrie	Oden	Sullivan
Cates	Hain	Phillips	Taylor
Chambers	Hankins	Powell	Thomas

—51

CONSIDERATION OF H. 244 RESUMED

The question was on the motion of Mr. Lee that the House concur in and adopt the Senate amendment to the bill, H. 244.

MOTION TO ADJOURN LOST

The motion of Mr. Glass that the House adjourn until Tuesday, August 15, 1961, at ten o'clock A.M. was lost.

Yeas 39; Nays 57.

Yeas:

Mr. Speaker	Copeland	Glass	Jenkins
Boyd	Dunn	Goldthwaite	Johnson (Hardaway)
Branyon	Edwards	Goodwyn	Johnson (J. T. Tom)
Brewer	Engel	Hanby	Locke
Broadfoot	Franklin	Harvey	Long (Perry)
Callahan	Gilchrist	Hawkins	McClendon (Chambers)

Meade	Oakley	Self	Torbert
Morrow	Owens	Rast	Trimmier
Murphy	Perry	Reynolds (Chambers)	Vickers
Nichols	Pierce	Roberts	

—39

Nays:

Messrs.	Cook	Jones (Covington)	Reynolds (Madison)
Adams	Cornett	Jones (Monroe)	Rogers
Albea	Daniel	Lee	Rozelle
Avery	Faulk	Long (Lauderdale)	Salter
Bailey	Ferguson	McCorquodale	Shumate
Barnett	Gilmer	McLendon (Bullock)	Smith (Russell)
Bassett	Gordon	Merrill	Smith (St. Clair)
Bevill	Grant	Nettles	Solomon
Bishop	Gross	Oden	Speaks
Britton	Guthrie	Phillips	Steagall
Brooks	Hain	Powell	Sullivan
Cabiness	Hankins	Pruitt	Taylor
Camp	Hardy	Ramey	Thomas
Casey	Hearn	Ray	Turnham
Chambers	Johnston (Leonard)		

—57

UNANIMOUS CONSENT GRANTED

Mr. Broadfoot requested unanimous consent to introduce a bill out of order and it was so granted.

INTRODUCTION OF BILL

The following bill was introduced read a first time at length as required by the Constitution and referred to appropriate standing committee, as follows:

By Mr. Broadfoot:

H. 1341. Proposing an amendment to the Constitution of Alabama relative to levying special school taxes for the City of Florence, Lauderdale County.

Local Legislation No. 1.

CONSIDERATION OF H. 244 RESUMED

The question was on the motion of Mr. Lee that the House concur in and adopt the Senate amendment to the bill, H. 244.

MOTION TO ADJOURN LOST

Mr. Trimmier moved that the House adjourn until Friday, August 18, 1961, at ten o'clock A.M.

Mr. Perry offered as a substitute motion, a motion that the House

concur in S.J.R. 36, and the Chair ruled the substitute motion of Mr. Perry was out of order.

The question was then on the motion of Mr. Trimmier that the House adjourn until Friday, August 18, 1961, at ten o'clock A.M., and the motion was lost.

Yeas 39; Nays 57.

Yeas:

Mr. Speaker	Engel	Johnson (Hardaway)	Pierce
Bishop	Franklin	Johnson (J. T. Tom)	Rast
Boyd	Gilchrist	Locke	Roberts
Branyon	Glass	McClendon (Chambers)	Self
Brewer	Goldthwaite	Morrow	Sessions
Broadfoot	Goodwyn	Murphy	Torbert
Callahan	Hankins	Nichols	Trimmier
Dodd	Harvey	Oakley	Turner
Dunn	Hawkins	Owens	Vickers
Edwards	Jenkins	Perry	

—39

Nays:

Messrs.	Cornett	Jones (Covington)	Ray
Adams	Daniel	Jones (Monroe)	Reynolds (Madison)
Albea	Faulk	Lee	Rogers
Avery	Ferguson	Long (Lauderdale)	Rozelle
Bailey	Gilmer	McCorquodale	Salter
Barnett	Gordon	McLendon (Bullock)	Shumate
Bassett	Grant	Meade	Smith (St. Clair)
Bevill	Cross	Merrill	Solomon
Britton	Grouby	Nettles	Speaks
Brooks	Guthrie	Oden	Steagall
Cabiness	Hain	Phillips	Sullivan
Camp	Hardy	Powell	Taylor
Casey	Hearn	Pruitt	Thomas
Chambers	Ingram	Ramey	Turnham
Cook	Johnston (Leonard)		

—57

CONSIDERATION OF H. 244 RESUMED

The question was on the motion of Mr. Lee that the House concur in and adopt the Senate amendment to the bill, H. 244.

MOTION TO ADJOURN LOST

The motion of Mr. Gilchrist that the House adjourn until Friday, August 18, 1961, at ten o'clock A.M. was lost.

Yeas 37; Nays 56.

Yeas:

Mr. Speaker	Branyon	Broadfoot	Copeland
Boyd	Brewer	Callahan	Dodd

Dunn	Hankins	Long (Perry)	Perry
Edwards	Harvey	McClendon (Chambers)	Pierce
Engel	Hawkins	Morrow	Rast
Franklin	Jenkins	Murphy	Self
Gilchrist	Johnson (Hardaway)	Nichols	Sessions
Glass	Johnson (J. T. Tom)	Oakley	Trimmier
Goldthwaite	Locke	Owens	Vickers
Goodwyn			

—37

Nays:

Messrs.	Cornett	Johnston (Leonard)	Ramey
Adams	Daniel	Jones (Covington)	Ray
Albea	Faulk	Jones (Monroe)	Reynolds (Madison)
Avery	Ferguson	Lee	Rozelle
Bailey	Gilmer	Long (Lauderdale)	Salter
Barnett	Gordon	McCorquodale	Shumate
Bassett	Grant	McLendon (Bullock)	Smith (St. Clair)
Bevill	Gross	Meade	Solomon
Britton	Grouby	Merrill	Speaks
Brooks	Guthrie	Nettles	Steagall
Cabiness	Hain	Oden	Sullivan
Camp	Hanby	Phillips	Taylor
Casey	Hardy	Powell	Thomas
Cates	Ingram	Pruitt	Turnham
Cook			

—56

CONSIDERATION OF H. 244 RESUMED

The question was on the motion of Mr. Lee that the House concur in and adopt the Senate amendment to the bill, H. 244.

MOTION TO ADJOURN LOST

The motion of Mr. Brewer that the House adjourn until Friday, August 18, 1961, at ten o'clock A.M. was lost.

Yeas 39; Nays 56.

Yeas:

Mr. Speaker	Engel	Locke	Rast
Bishop	Franklin	Long (Perry)	Reynolds (Chambers)
Boyd	Gilchrist	McClendon (Chambers)	Roberts
Branyon	Glass	Morrow	Self
Brewer	Goldthwaite	Murphy	Sessions
Broadfoot	Goodwyn	Nichols	Torbert
Callahan	Hawkins	Oakley	Trimmier
Copeland	Jenkins	Owens	Turner
Dodd	Johnson (Hardaway)	Perry	Vickers
Edwards	Johnson (J. T. Tom)	Pierce	

— 39

Nays:

Messrs.	Daniel	Ingram	Pruitt
Adams	Dunn	Johnston (Leonard)	Ramey
Albea	Faulk	Jones (Covington)	Ray
Avery	Ferguson	Jones (Menroe)	Reynolds (Madison)
Barnett	Gordon	Lee	Rogers
Bassett	Grant	Long (Lauderdale)	Salter
Bevill	Gross	McCorquodale	Shumate
Britton	Grouby	McLendon (Bullock)	Smith (St. Clair)
Brooks	Guthrie	Meade	Solomon
Cabiness	Hain	Merrill	Speaks
Camp	Hanby	Nettles	Steagall
Casey	Hardy	Oden	Sullivan
Cates	Harvey	Phillips	Taylor
Cook	Hearn	Powell	Turnham
Cornett			

—56

CONSIDERATION OF H. 244 RESUMED

The question was on the motion of Mr. Lee that the House concur in and adopt the Senate amendment to the bill, H. 244.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Callahan to suspend the rules in order to take up for immediate consideration the third reading of the bill, S. 444, was adopted.

And the bill:

S. 444. Relative to cities in the State having a population of not less than 60,000 people nor more than 70,000 people, according to the last or any subsequent federal decennial census; providing for a commission form of government for such cities and making provisions for the election of the chairman of the commission board and two associate commissioners; providing for the time and manner of calling and of holding such election and providing for filing of a statement of candidacy therefor; providing for the filling of vacancies; providing for a commission board and its powers and authorities; providing for the distribution of functions of the city into three divisions, and for the duty of each commissioner with respect to said divisions; providing that the chairman of the commission board shall devote his full time to the duties of his office, and that each associate commissioner shall devote such time daily as may be necessary to perform the duties of his office; providing for the salary of the chairman and of each associate commissioner; providing that such of the provisions of Article 1, Chapter 4, Title 37, of the Alabama Code of 1940, as amended or as the same is hereafter amended, as are not inconsistent with the provisions of this act, shall apply to and govern the city after it shall become organized according to the provisions of this act; providing for the election of a recorder; providing that the existing government in any such city continue in force until the commissioners elected pursuant to this act qualify and take office; and providing for the repeal of all laws, whether general, special or local, in direct conflict with the provisions hereof.

Was read a third time at length and passed.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Edwards	Jenkins	Pruitt
Adams	Engel	Johnson (Hardaway)	Ramey
Albea	Faulk	Johnson (J. T. Tom)	Rast
Avery	Ferguson	Johnston (Leonard)	Ray
Bailey	Franklin	Jones (Covington)	Reynolds (Chambers)
Barnett	Gilchrist	Jones (Monroe)	Reynolds (Madison)
Bassett	Gilmer	Lee	Roberts
Bevill	Glass	Locke	Rogers
Bishop	Goldthwaite	Long (Perry)	Rozelle
Boyd	Goodwyn	McClendon (Chambers)	Salter
Branyon	Gordon	McCorquodale	Self
Britton	Grant	McLendon (Bullock)	Sessions
Broadfoot	Gross	Meade	Smith (St. Clair)
Brooks	Grouby	Merrill	Solomon
Cabiness	Guthrie	Morrow	Speaks
Callahan	Hain	Murphy	Sullivan
Camp	Hanby	Nettles	Taylor
Cates	Hankins	Nichols	Thomas
Cook	Hardy	Oakley	Torbert
Copeland	Harvey	Owens	Trimmier
Cornett	Hawkins	Perry	Turner
Daniel	Hearn	Pierce	Turnham
Dodd	Ingram	Powell	Vickers
Dunn			

—93

CONSIDERATION OF H. 244 RESUMED

The question was on the motion of Mr. Lee that the House concur in and adopt the Senate amendment to the bill, H. 244.

MOTION TO SUSPEND RULES LOST

The motion of Mr. Perry to suspend the rules in order that time for Mr. Callahan to speak be extended ten minutes was lost.

Yeas 54; Nays 24.

Yeas:

Mr. Speaker	Faulk	Jones (Monroe)	Pruitt
Adams	Ferguson	Lee	Rast
Boyd	Franklin	Locke	Reynolds (Chambers)
Branyon	Gilchrist	Long (Perry)	Rogers
Brewer	Glass	McClendon (Chambers)	Rozelle
Broadfoot	Goldthwaite	McCorquodale	Self
Callahan	Goodwyn	McLendon (Bullock)	Sessions
Cates	Grant	Morrow	Smith (Russell)
Chambers	Harvey	Murphy	Smith (St. Clair)
Cornett	Hawkins	Perry	Torbert
Daniel	Hearn	Phillips	Trimmier
Dodd	Johnson (Hardaway)	Pierce	Turner
Edwards	Johnson (J. T. Tom)	Powell	Vickers
Engel	Johnston (Leonard)		

—54

Nays:

Messrs.	Brooks	Guthrie	Ramey
Albea	Cabiness	Hain	Shumate
Avery	Camp	Hardy	Solomon
Bailey	Cook	Long (Lauderdale)	Speaks
Barnett	Gilmer	Meade	Steagall
Bevill	Gross	Merrill	Taylor
Britton			

—24

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Faulk to suspend the rules in order that time for Mr. Hawkins to speak be extended ten minutes was adopted.

Yeas 73; Nays 17.

Yeas:

Mr. Speaker	Engel	Johnson (Hardaway)	Phillips
Albea	Faulk	Johnson (J. T. Tom)	Pierce
Avery	Ferguson	Johnston (Leonard)	Pruitt
Bevill	Franklin	Jones (Covington)	Ramey
Boyd	Gilchrist	Lee	Rast
Branyon	Glass	Locke	Ray
Brewer	Goldthwaite	Long (Perry)	Reynolds (Chambers)
Britton	Goodwyn	McClendon (Chambers)	Reynolds (Madison)
Broadfoot	Gordon	McCorquodale	Rogers
Callahan	Grant	McLendon (Bullock)	Rozelle
Camp	Grouby	Meade	Salter
Casey	Hanby	Merrill	Sessions
Cates	Hankins	Morrow	Smith (St. Clair)
Copeland	Harris	Murphy	Torbert
Cornett	Harvey	Nichols	Trimmier
Daniel	Hawkins	Oakley	Turner
Dodd	Ingram	Owens	Turnham
Dunn	Jenkins	Perry	Vickers
Edwards			

—73

Nays:

Messrs.	Cabiness	Guthrie	Shumate
Adams	Chambers	Hain	Solomon
Bailey	Cook	Hardy	Steagall
Barnett	Gilmer	Powell	Taylor
Brooks	Gross		

—17

MOTION TO SUSPEND RULES LOST

The motion of Mr. Johnson (J. T. Tom) to suspend the rules in order to take up for immediate consideration the third reading of the bill, S. 503, was lost.

Yeas 42; Nays 54.

Yeas:

Mr. Speaker	Engel	Johnson (J. T. Tom)	Rast
Bishop	Franklin	Johnston (Leonard)	Reynolds (Chambers)
Boyd	Gilchrist	Locke	Roberts
Branyon	Glass	McClendon (Chambers)	Self
Brewer	Goldthwaite	Meade	Sessions
Broadfoot	Goodwyn	Murphy	Torbert
Callahan	Hankins	Oakley	Trimmier
Cates	Harvey	Owens	Turner
Copeland	Hawkins	Perry	Turnham
Dodd	Jenkins	Pierce	Vickers
Edwards	Johnson (Hardaway)		

—42

Nays:

Messrs.	Cook	Hearn	Ramey
Adams	Cornett	Jones (Covington)	Ray
Albea	Daniel	Jones (Monroe)	Reynolds (Madison)
Avery	Dunn	Lee	Rogers
Bailey	Faulk	Long (Perry)	Rozelle
Barnett	Ferguson	McCorquodale	Salter
Bassett	Gilmer	McLendon (Bullock)	Shumate
Bevill	Gordon	Merrill	Smith (St. Clair)
Britton	Grant	Nettles	Solomon
Brooks	Gross	Oden	Speaks
Cabiness	Grouby	Phillips	Steagall
Camp	Guthrie	Powell	Taylor
Casey	Hain	Pruitt	Thomas
Chambers	Hanby		

—54

CONSIDERATION OF H. 244. RESUMED

The question was on the motion of Mr. Lee that the House concur in and adopt the Senate amendment to the bill, H. 244.

POINT OF ORDER BY MR. SOLOMON

Mr. Solomon raised a point of order that Mr. Gilchrist had spoken for more than ten minutes and was, therefore, in violation of Rule 32.

The Chair ruled that Mr. Gilchrist had spoken more than ten minutes but was not otherwise in violation of Rule 32.

MOTION TO SUSPEND RULES LOST

The motion of Mr. Perry to suspend the rules in order that the time for Mr. Gilchrist to speak be extended ten minutes was lost.

Yeas 49; Nays 41.

Yeas:

Mr. Speaker	Branyon	Broadfoot	Cates
Boyd	Brewer	Callahan	Dodd

Dunn	Hawkins	Morrow	Rast
Edwards	Hearn	Murphy	Reynolds (Madison)
Engel	Jenkins	Nettles	Roberts
Ferguson	Johnson (Hardaway)	Oakley	Rozelle
Franklin	Johnson (J. T. Tom)	Owens	Self
Gilchrist	Johnston (Leonard)	Perry	Sessions
Glass	Jones (Covington)	Phillips	Torbert
Goldthwaite	Locke	Pierce	Trimmier
Goodwyn	McClendon (Chambers)	Pruitt	Turner
Hanby	McCorquodale	Ramey	Vickers
Harvey			

—49

Nays:

Messrs.	Camp	Hardy	Rogers
Adams	Casey	Jones (Monroe)	Salter
Albea	Chambers	Lee	Shumate
Avery	Cook	Long (Perry)	Smith (St. Clair)
Bailey	Cornett	McLendon (Bullock)	Solomon
Barnett	Faulk	Meade	Speaks
Bassett	Gilmer	Merrill	Steagall
Bevill	Gordon	Oden	Sullivan
Britton	Gross	Powell	Taylor
Brooks	Grouby	Ray	Thomas
Cabiness	Hain		

—41

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Goodwyn to suspend the rules in order to introduce a bill out of order was adopted.

Yeas 80; Nays 8.

Yeas:

Mr. Speaker	Dodd	Harvey	Owens
Adams	Dunn	Hawkins	Perry
Albea	Edwards	Ingram	Phillips
Bailey	Engel	Jenkins	Pierce
Barnett	Faulk	Johnson (Hardaway)	Powell
Bassett	Ferguson	Johnson (J. T. Tom)	Pruitt
Bishop	Franklin	Johnston (Leonard)	Rast
Boyd	Gilchrist	Jones (Covington)	Ray
Branyon	Gilmer	Lee	Reynolds (Chambers)
Brewer	Glass	Locke	Rogers
Britton	Goldthwaite	Long (Perry)	Rozelle
Broadfoot	Goodwyn	McClendon (Chambers)	Self
Callahan	Gordon	McCorquodale	Sessions
Camp	Grant	McLendon (Bullock)	Smith (Russell)
Casey	Gross	Meade	Speaks
Cates	Grouby	Morrow	Thomas
Chambers	Hain	Murphy	Torbert
Cook	Hanby	Nettles	Trimmier
Cornett	Hankins	Oakley	Turner
Daniel	Hardy	Oden	Vickers

—80

Nays:

Messrs.
Avery
Brooks

Cabiness
Guthrie

Jones (Monroe)
Shumate

Smith (St. Clair)
Taylor

—8

INTRODUCTION OF BILL

The following bill was introduced, read a first time at length as required by the Constitution, and referred to appropriate standing committee, as follows:

By Messrs. Goodwyn, Pierce, Goldthwaite and Bailey (With Notice and Proof)

H. 1342. Proposing an amendment to the Constitution of Alabama, relative to the levying of additional taxes for school purposes within Montgomery County.

Local Legislation No. 1.

Notice and Proof H. 1342.

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MONTGOMERY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Proposing an amendment to the Constitution of Alabama relative to the levying of additional taxes for school purposes within Montgomery County.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The following amendment to the Constitution of Alabama is proposed, and shall become valid as a part thereof when approved by the qualified electors as prescribed by law:

PROPOSED AMENDMENT

"When authorized by a vote of a majority of the qualified electors voting at an election held for such purpose, the court of county commissioners, board of revenue, or like governing body of Montgomery County shall have power to levy and collect additional taxes for school purposes on the taxable property located in the county at a rate not to exceed fifty-five one-hundredths of one per cent of the value of the taxable property located within the county. An election to determine whether or not such taxes shall be levied and the time during which such tax is to continue shall be called, held, and conducted in the manner provided by law for calling, holding, and conducting elections to determine whether district school taxes shall be levied and collected under this Con-

stitution. The provisions of this amendment shall not limit, modify, abridge, or impair the power, authority, or right of municipalities or school districts to levy and collect special school taxes as provided by law."

Section 2. An election upon the proposed amendment is ordered to be held on the date of the general election next succeeding the final adjournment of the current session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended and Chapter 1, Article 18, Title 17 of the Code of Alabama (1940).

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the State. In every county in which no newspaper is published a copy of the notice shall be posted at each courthouse and post office.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MONTGOMERY

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. F. Bell, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Cashier of the Alabama Journal, a newspaper of general circulation published in Montgomery County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 19, 26, August 2, 9, all in the year 1961.

R. F. BELL,

Sworn to and subscribed before me 9th day of August, 1961.

T. A. HARDY,

Title Notary Public Montgomery County Ala.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Hearn to suspend the rules in order to introduce a bill out of order was adopted.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Brewer	Daniel	Goldthwaite
Albea	Britton	Dodd	Goodwyn
Avery	Brooks	Dunn	Gordon
Bailey	Cabiness	Edwards	Grant
Barnett	Callahan	Engel	Gross
Bassett	Camp	Faulk	Grouby
Bevill	Casey	Ferguson	Guthrie
Bishop	Chambers	Franklin	Hanby
Branyon	Cornett	Glass	Hankins

Harvey	McClendon (Chambers)	Phillips	Sessions
Hawkins	McCorquodale	Pierce	Shumate
Ingram	McLendon (Bullock)	Powell	Smith (Russell)
Jenkins	Meade	Ramey	Smith (St. Clair)
Johnson (Hardaway)	Merrill	Ray	Speaks
Johnson (J. T. Tom)	Morrow	Reynolds (Chambers)	Sullivan
Johnston (Leonard)	Murphy	Reynolds (Madison)	Thomas
Jones (Covington)	Nettles	Rogers	Trimmier
Jones (Monroe)	Oakley	Rozelle	Turner
Lee	Oden	Salter	Turnham
Locke	Owens	Self	Vickers
Long (Lauderdale)	Perry		

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INTRODUCTION OF BILL

The following bill was introduced, read one time and referred to appropriate standing committee, as follows:

By Mr. Hearn:

H. 1343. TO FURTHER AMEND SECTION 402 (17), TITLE 37, OF THE CODE OF ALABAMA 1940, WHICH WAS LAST AMENDED BY ACT NO. 622 OF THE GENERAL ACTS OF ALABAMA 1957, RELATING TO THE BOARD OF DIRECTORS OF MUNICIPAL CORPORATIONS IN CITIES WITH A POPULATION OF BETWEEN 6,500 AND 8,500 PEOPLE, ACCORDING TO THE LATEST FEDERAL CENSUS, FOR THE PURPOSE OF OWNING, OPERATING AND FINANCING WATER, SEWER, GAS AND ELECTRIC SYSTEMS.

Local Legislation No. 1.

CONSIDERATION OF H. 244 RESUMED

The question was on the motion of Mr. Lee that the House concur in and adopt the Senate amendment to the bill, H. 244.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Callahan to suspend the rules in order to take up the Message from the Senate regarding the bill, S. 444, was adopted.

Yeas 76; Nays 7.

Yeas:

Mr. Speaker	Broadfoot	Engel	Grouby
Adams	Cabiness	Faulk	Guthrie
Albea	Callahan	Ferguson	Hankins
Avery	Camp	Franklin	Harvey
Barnett	Casey	Gilchrist	Hawkins
Bassett	Cates	Glass	Hearn
Bishop	Daniel	Goldthwaite	Jenkins
Boyd	Dodd	Gordon	Johnson (Hardaway)
Branyon	Dunn	Grant	Johnson (J. T. Tom)
Brewer	Edwards	Gross	Johnston (Leonard)

Jones (Covington)	Murphy	Pruitt	Self
Jones (Monroe)	Nettles	Ramey	Sessions
Locke	Nichols	Rast	Smith (St. Clair)
Long (Perry)	Oden	Ray	Speaks
McClendon (Chambers)	Owens	Reynolds (Chambers)	Sullivan
McCorquodale	Perry	Reynolds (Madison)	Torbert
McLendon (Bullock)	Phillips	Roberts	Trimmier
Meade	Pierce	Rogers	Turner
Morrow	Powell	Rozelle	Vickers

—76

Nays:

Messrs.	Cook	Hardy	Steagall
Brooks	Cornett	Smith (Russell)	Taylor

—7

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bill, your signature hereto is requested:

S. 444. Relative to cities in the State having a population of not less than 60,000 people nor more than 70,000 people, according to the last or any subsequent federal decennial census; providing for a commission form of government for such cities and making provisions for the election of the chairman of the commission board and two associate commissioners; providing for the time and manner of calling and of holding such election and providing for filing of a statement of candidacy therefor; providing for the filling of vacancies; providing for a commission board and its powers and authorities; providing for the distribution of functions of the city into three divisions, and for the duty of each commissioner with respect to said divisions; providing that the chairman of the commission board shall devote his full time to the duties of his office, and that each associate commissioner shall devote such time daily as may be necessary to perform the duties of his office; providing for the salary of the chairman and of each associate commissioner; providing that such of the provisions of Article 1, Chapter 4, Title 37, of the Alabama Code of 1940, as amended or as the same is hereafter amended, as are not inconsistent with the provisions of this act, shall apply to and govern the city after it shall become organized according to the provisions of this act; providing for the election of a recorder; providing that the existing government in any such city continue in force until the commissioners elected pursuant to this act qualify and take office; and providing for the repeal of all laws whether general special or local in direct conflict with the provisions hereof.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title to which is set out in the above and foregoing Message from the Senate.

CONSIDERATION OF H. 244 RESUMED

The question was on the motion of Mr. Lee that the House concur in and adopt the Senate amendment to the bill, H. 244.

MOTION TO SUSPEND RULES LOST

The motion of Mr. Brewer to suspend the rules in order that time for Mr. Murphy to speak be extended ten minutes was lost.

Yeas 41; Nays 48.

Yeas:

Mr. Speaker	Franklin	Johnson (J. T. Tom)	Phillips
Bishop	Gilchrist	Johnston (Leonard)	Pierce
Branyon	Glass	Locke	Rast
Brewer	Goodwyn	McClendon (Chambers)	Reynolds (Chambers)
Broadfoot	Hanby	Morrow	Roberts
Callahan	Hankins	Murphy	Self
Copeland	Harris	Nichols	Sessions
Dodd	Harvey	Oakley	Shumate
Edwards	Hawkins	Owens	Trimmier
Engel	Johnson (Hardaway)	Perry	Vickers
Ferguson			

—41

Nays:

Messrs.	Chambers	Hardy	Ray
Adams	Cook	Ingram	Reynolds (Madison)
Albea	Cornett	Jones (Covington)	Rogers
Avery	Daniel	Lee	Rozelle
Bailey	Faulk	Long (Lauderdale)	Salter
Bassett	Gilmer	Long (Perry)	Smith (St. Clair)
Bevill	Gordon	McCorquodale	Solomon
Britton	Grant	McLendon (Bullock)	Steagall
Brooks	Gross	Merrill	Sullivan
Cabiness	Grouby	Nettles	Taylor
Camp	Guthrie	Powell	Thomas
Casey	Hain	Ramey	Turnham
Cates			

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MOTION TO ADJOURN LOST

The motion of Mr. Brewer that the House adjourn until Friday, August 18, 1961, at ten o'clock A.M. was lost.

Yeas 42; Nays 55.

Yeas:

Mr. Speaker	Franklin	Johnston (Leonard)	Perry
Bishop	Gilchrist	Locke	Pierce
Branyon	Glass	Long (Perry)	Rast
Brewer	Goldthwaite	McClendon (Chambers)	Reynolds (Chambers)
Broadfoot	Goodwyn	Meade	Roberts
Callahan	Hankins	Morrow	Self
Copeland	Harvey	Murphy	Sessions
Dodd	Hawkins	Nichols	Torbert
Dunn	Jenkins	Oakley	Trimmier
Edwards	Johnson (Hardaway)	Owens	Turner
Engel	Johnson (J. T. Tom)		

—42

Nays:

Messrs.	Chambers	Hardy	Ray
Adams	Cook	Ingram	Reynolds (Madison)
Albea	Cornett	Jones (Monroe)	Rogers
Avery	Daniel	Lee	Rozelle
Bailey	Faulk	Long (Lauderdale)	Salter
Barnett	Ferguson	McCorquodale	Shumate
Bassett	Gilmer	McLendon (Bullock)	Smith (Russell)
Bevill	Gordon	Merrill	Smith (St. Clair)
Britton	Grant	Nettles	Speaks
Brooks	Gross	Oden	Steagall
Cabiness	Grouby	Phillips	Sullivan
Camp	Guthrie	Powell	Taylor
Casey	Hain	Pruitt	Thomas
Cates	Hanby	Ramey	Turnham

—55

CONSIDERATION OF H. 244 RESUMED

The question was on the motion of Mr. Lee that the House concur in and adopt the Senate amendment to the bill, H. 244.

MOTION TO ADJOURN LOST

The motion of Mr. Broadfoot that the House adjourn until Friday, August 18, 1961, at ten o'clock A.M. was lost.

Yeas 43; Nays 54.

Yeas:

Mr. Speaker	Engel	Johnson (Hardaway)	Perry
Bishop	Franklin	Johnson (J. T. Tom)	Pierce
Branyon	Gilchrist	Johnston (Leonard)	Rast
Brewer	Glass	Locke	Reynolds (Chambers)
Broadfoot	Goldthwaite	Long (Perry)	Roberts
Brooks	Goodwyn	McClendon (Chambers)	Self
Callahan	Hankins	Morrow	Sessions
Cates	Harris	Murphy	Torbert
Copeland	Harvey	Nichols	Trimmier
Dodd	Hawkins	Oakley	Turner
Edwards	Jenkins	Owens	

—43

Nays:

Messrs.	Cornett	Hearn	Rogers
Adams	Daniel	Jones (Monroe)	Rozelle
Albea	Dunn	Lee	Salter
Avery	Faulk	Long (Lauderdale)	Shumate
Bailey	Ferguson	McCorquodale	Smith (Russell)
Barnett	Gilmer	McLendon (Bullock)	Smith (St. Clair)
Bassett	Gordon	Meade	Solomon
Bevill	Grant	Merrill	Speaks
Britton	Gross	Nettles	Steagall
Cabiness	Grouby	Phillips	Sullivan
Camp	Guthrie	Powell	Taylor
Casey	Hain	Pruitt	Thomas
Chambers	Hanby	Ramey	Turnham
Cook	Hardy	Reynolds (Madison)	

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CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bill hereinafter mentioned was delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 11:35 A.M. On August 11, 1961.

H. 151.

OAKLEY MELTON, JR.
Clerk.

ADJOURNMENT

The hour of 12:00 o'clock, midnight, having arrived, the Speaker declared the House adjourned to meet again at 12:01 A.M., Saturday, August 12, 1961.

TWENTY-NINTH DAY

House of Representatives
Montgomery, Alabama
Saturday, August 12, 1961

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Representative Charles S. Trimnier, member of the House of Representatives from Mobile County, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Bassett	Britton	Cates
Adams	Bevill	Broadfoot	Chambers
Albea	Bishop	Cabiness	Cook
Avery	Boyd	Callahan	Copeland
Bailey	Branyon	Camp	Cornett
Barnett	Brewer	Casey	Daniel

Dodd	Hardy	Meade	Rogers
Dunn	Harris	Merrill	Rozelle
Edwards	Harvey	Morrow	Salter
Engel	Hawkins	Murphy	Self
Faulk	Hearn	Nettles	Sessions
Ferguson	Ingram	Nichols	Shumate
Franklin	Jenkins	Oakley	Smith (Russell)
Gilchrist	Johnson (Hardaway)	Oden	Smith (St. Clair)
Gilmer	Johnson (J. T. Tom)	Owens	Solomon
Glass	Johnston (Leonard)	Perry	Speaks
Goldthwaite	Jones (Covington)	Phillips	Steagall
Goodwyn	Jones (Monroe)	Pierce	Sullivan
Gordon	Lee	Powell	Taylor
Grant	Locke	Pruitt	Thomas
Gross	Long (Lauderdale)	Ramey	Torbert
Grouby	Long (Perry)	Rast	Trimmier
Guthrie	McClendon (Chambers)	Ray	Turner
Hain	McCorquodale	Reynolds (Chambers)	Turnham
Hanby	McLendon (Bullock)	Reynolds (Madison)	Vickers
Hankins	Martin	Roberts	

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A quorum was present.

POINT OF ORDER BY MR. PERRY

Rule 2 of the House provides as follows:

"Rule 2. The Speaker shall take the Chair every day at the hour fixed on the preceding adjournment. He shall immediately call the members to order, AND ON THE APPEARANCE OF A QUORUM CAUSE THE JOURNAL OF THE PRECEDING DAY TO BE READ."

The point here raised is that the reading of the journal is basic, organizational, and is a necessary prerequisite to the House being in session for the transaction of business.

Specifically, the House may not, under its rules, receive a message from the Senate until it is properly organized and in session and the ruling of the Chair to permit the receipt of messages from the Senate before the reading of the journal of the preceding day is incorrect and illegal.

Therefore, for the reasons assigned, notice is given that the action of the House in addressing itself to messages from the Senate before the reading of the journal for the preceding day is illegal and that any action taken upon any such message from the Senate is illegal.

Reference is specifically made to joint Rule 1 of the two Houses, which reads as follows:

"1. Messages from one house to the other shall take precedence over all other QUESTIONS."

The reading of the journal of the preceding day is not a QUESTION as contemplated by this rule.

Further, specific reference is made to House Rule 40, subparagraph (1), which reads as follows:

"(1) Rules, of which the Speaker shall be chairman, which committee shall have the right to report at any time"

The phrase, "to report at any time," means any time at which the House is in session. The House is not in session if the journal of the preceding day has not been read.

For all the foregoing reasons, notice is given that any action taken by the House on this date, being the Twenty-Ninth Legislative Day, before the reading of the journal of the preceding day is illegal and subject to being voided and set at naught by any court of competent jurisdiction.

The point of order of Mr. Perry was overruled and denied by the Chair.

POINT OF ORDER BY MR. GOODWYN

Mr. Goodwyn raised a point of order that under the Rules of the House the Speaker should cause the Journal of the House to be read before receiving Messages from the Senate, and that the reading of the Journal of the House took precedence over Messages from the Senate.

The point of order of Mr. Goodwyn was overruled and denied by the Chair.

CONSIDERATION OF H. 244 RESUMED

The question was on the motion of Mr. Lee that the House concur in and adopt the Senate amendment to the bill,

H. 244. To divide the state of Alabama into eight Congressional districts:

said Senate amendment being set out in Journal of the House on the twenty-eighth legislative day.

MOTION TO ADJOURN LOST

The motion of Mr. Reynolds (Chambers) that the House adjourn until until Friday, August 18, 1961, at ten o'clock A. M. was lost.

Yeas 39; Nays 56.

Yeas:

Mr. Speaker	Franklin	Johnson (J. T. Tom)	Rast
Bishop	Glass	Johnston (Leonard)	Reynolds (Chambers)
Boyd	Goldthwaite	Locke	Roberts
Branyon	Goodwyn	Long (Perry)	Self
Brewer	Hankins	McClendon (Chambers)	Sessions
Broadfoot	Harris	Morrow	Torbert
Callahan	Harvey	Murphy	Trimmier
Cates	Hawkins	Owens	Turner
Edwards	Jenkins	Perry	Vickers
Engel	Johnson (Hardaway)	Pierce	

Nays:

Messrs.	Daniel	Ingram	Ray
Adams	Dunn	Lee	Reynolds (Madison)
Albea	Faulk	Long (Lauderdale)	Rogers
Avery	Ferguson	McCorquodale	Rozelle
Bailey	Gilmer	McLendon (Bullock)	Salter
Barnett	Gordon	Meade	Shumate
Bassett	Grant	Merrill	Smith (Russell)
Bevill	Gross	Nettles	Smith (St. Clair)
Britton	Grouby	Nichols	Speaks
Cabiness	Guthrie	Oden	Steagall
Camp	Hain	Phillips	Sullivan
Casey	Hanby	Powell	Taylor
Cook	Hardy	Pruitt	Thomas
Copeland	Hearn	Ramey	Turnham
Cornett			

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CONSIDERATION OF H. 244 RESUMED

The question was on the motion of Mr. Lee that the House concur in and adopt the Senate amendment to the bill, H. 244.

MOTION TO ADJOURN LOST

The motion of Mr. Brewer that the House adjourn until Tuesday, August 15, 1961, at ten o'clock A.M. was lost.

Yeas 35; Nays 56.

Yeas:

Mr. Speaker	Goldthwaite	Johnston (Leonard)	Pierce
Bishop	Goodwyn	Locke	Rast
Boyd	Hanby	Long (Perry)	Roberts
Branyon	Hankins	McClendon (Chambers)	Self
Brewer	Harvey	Morrow	Sessions
Broadfoot	Hawkins	Murphy	Trimmier
Edwards	Jenkins	Oakley	Turner
Engel	Johnson (Hardaway)	Owens	Vickers
Glass	Johnson (J. T. Tom)	Perry	

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Nays:

Messrs.	Copeland	Hearn	Ramey
Adams	Cornett	Ingram	Ray
Albea	Daniel	Jones (Monroe)	Reynolds (Madison)
Avery	Dunn	Lee	Rogers
Bailey	Faulk	Long (Lauderdale)	Rozelle
Barnett	Ferguson	McCorquodale	Salter
Bassett	Gilmer	McLendon (Bullock)	Shumate
Bevill	Gordon	Meade	Smith (St. Clair)
Britton	Grant	Merrill	Speaks
Cabiness	Gross	Nettles	Steagall
Camp	Grouby	Oden	Sullivan
Casey	Guthrie	Phillips	Taylor
Cates	Hain	Powell	Thomas
Chambers	Hardy	Pruitt	Turnham
Cook			

—56

CONSIDERATION OF H. 244 RESUMED

The question was on the motion of Mr. Lee that the House concur in and adopt the Senate amendment to the bill, H. 244.

MOTION TO ADJOURN LOST

The motion of Mr. Morrow that the House adjourn until Tuesday, August 15, 1961, at twelve o'clock, noon, was lost.

Yeas 35; Nays 57.

Yeas:

Mr. Speaker	Glass	Locke	Rast
Bishop	Goodwyn	Long (Perry)	Roberts
Branyon	Hanby	McClendon (Chambers)	Self
Brewer	Harvey	Morrow	Sessions
Broadfoot	Hawkins	Murphy	Torbert
Callahan	Jenkins	Oakley	Trimmier
Edwards	Johnson (Hardaway)	Owens	Turner
Engel	Johnson (J. T. Tom)	Perry	Vickers
Franklin	Johnston (Leonard)	Pierce	

—35

Nays:

Messrs.	Copeland	Ingram	Ray
Adams	Cornett	Jones (Covington)	Reynolds (Madison)
Albea	Daniel	Jones (Monroe)	Rogers
Avery	Faulk	Lee	Rozelle
Bailey	Ferguson	Long (Lauderdale)	Salter
Barnett	Gilmer	McCorquodale	Shumate
Bassett	Gordon	McLendon (Bullock)	Smith (St. Clair)
Bevill	Grant	Meade	Solomon
Britton	Gross	Merrill	Speaks
Cabiness	Grouby	Nettles	Steagall
Camp	Guthrie	Oden	Sullivan
Casey	Hain	Phillips	Taylor
Cates	Hankins	Powell	Thomas
Chambers	Hardy	Pruitt	Turnham
Cook	Hearn		

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MOTION FOR PREVIOUS QUESTION

Mr. Guthrie moved the previous question.

MOTION TO ADJOURN LOST

The motion of Mr. Bishop that the House adjourn until Friday, August 18, 1961, at ten o'clock A.M. was lost.

Yeas 41; Nays 56.

Yeas:

Mr. Speaker	Gilchrist	Johnson (Hardaway)	Perry
Bishop	Glass	Johnson (J. T. Tom)	Pierce
Boyd	Goodwyn	Johnston (Leonard)	Rast
Branyon	Hanby	Locke	Roberts
Brewer	Hankins	McClendon (Chambers)	Self
Broadfoot	Harris	Morrow	Sessions
Callahan	Harvey	Murphy	Torbert
Dodd	Hawkins	Nichols	Trimmier
Edwards	Hearn	Oakley	Turner
Engel	Jenkins	Owens	Vickers
Franklin			

—41

Nays:

Messrs.	Daniel	Jones (Monroe)	Reynolds (Madison)
Albea	Dunn	Lee	Rogers
Avery	Faulk	Long (Lauderdale)	Rozelle
Bailey	Ferguson	Long (Perry)	Salter
Barnett	Gilmer	McCorquodale	Shumate
Bassett	Gordon	McLendon (Bullock)	Smith (Russell)
Bevill	Grant	Merrill	Smith (St. Clair)
Cabiness	Gross	Nettles	Solomon
Camp	Grouby	Oden	Speaks
Casey	Guthrie	Phillips	Steagall
Cates	Hain	Powell	Sullivan
Chambers	Hardy	Pruitt	Taylor
Cook	Ingram	Ramey	Thomas
Copeland	Jones (Covington)	Ray	Turnham
Cornett			

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MOTION FOR PREVIOUS QUESTION WITHDRAWN

Mr. Guthrie requested permission to withdraw his motion for the previous question, and it was so granted. And the motion of Mr. Guthrie for the previous question was withdrawn.

MOTION TO ADJOURN LOST

The motion of Mr. Hearn that the House adjourn until Tuesday, August 15, 1961, at twelve o'clock, noon, was lost.

Yeas 40; Nays 52.

Yeas:

Mr. Speaker	Gilchrist	Johnson (J. T. Tom)	Perry
Bishop	Glass	Johnston (Leonard)	Pierce
Boyd	Goodwyn	Locke	Rast
Branyon	Hanby	Long (Perry)	Roberts
Brewer	Harris	McLendon (Bullock)	Self
Broadfoot	Harvey	Morrow	Sessions
Callahan	Hawkins	Murphy	Torbert
Edwards	Hearn	Nichols	Trimmier
Engel	Jenkins	Oakley	Turner
Franklin	Johnson (Hardaway)	Owens	Vickers

—40

Nays:

Messrs.	Daniel	Jones (Monroe)	Reynolds (Madison)
Adams	Faulk	Lee	Rogers
Albea	Ferguson	Long (Lauderdale)	Rozelle
Avery	Gilmer	McCorquodale	Salter
Bailey	Gordon	Meade	Shumate
Barnett	Grant	Merrill	Smith (Russell)
Bassett	Gross	Nettles	Smith (St. Clair)
Bevill	Grouby	Oden	Solomon
Cabiness	Guthrie	Phillips	Speaks
Camp	Hain	Powell	Steagall
Casey	Hankins	Pruitt	Sullivan
Cook	Hardy	Ramey	Taylor
Copeland	Ingram	Ray	Thomas
Cornett			

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MOTION TO SUSPEND RULES LOST

The motion of Mr. Long (Perry) to suspend the rules in order to introduce local bills, to allow the Standing Committees to report local bills, and to take up for immediate consideration the third reading of local bills was lost.

Yeas 37; Nays 50.

Yeas:

Mr. Speaker	Franklin	Johnson (Hardaway)	Owens
Barnett	Gilchrist	Johnson (J. T. Tom)	Perry
Bishop	Glass	Locke	Pierce
Boyd	Goodwyn	Long (Perry)	Rast
Branyon	Hanby	McClendon (Chambers)	Self
Broadfoot	Hankins	Morrow	Sessions
Callahan	Harvey	Murphy	Smith (Russell)
Dunn	Hawkins	Nichols	Trimmier
Edwards	Jenkins	Oakley	Vickers
Engel			

—37

Nays:

Messrs.	Cornett	Lee	Reynolds (Madison)
Adams	Daniel	Long (Lauderdale)	Rogers
Albea	Faulk	McCorquodale	Rozelle
Avery	Ferguson	McLendon (Gulick)	Shumate
Bailey	Gilmer	Meade	Smith (St. Clair)
Bassett	Gordon	Merrill	Solomon
Bevill	Grant	Nettles	Speaks
Cabiness	Gross	Oden	Steagall
Camp	Grouby	Phillips	Sullivan
Casey	Guthrie	Powell	Taylor
Cates	Hain	Pruitt	Thomas
Cook	Hardy	Ramey	Turnham
Copeland	Jones (Monroe)	Ray	

—50

CONSIDERATION OF H. 244 RESUMED

Mr. Perry moved to lay on the table the motion of Mr. Lee that the House concur in and adopt the Senate amendment to the bill, H. 244.

PRESENCE OF QUORUM ASCERTAINED

Mr. Reynolds (Chambers) questioned the presence of a quorum, and on a call of the roll of the House the following members answered to their names:

Mr. Speaker	Cornett	Hearn	Phillips
Adams	Daniel	Ingram	Pruitt
Albea	Engel	Jones (Covington)	Ramey
Avery	Faulk	Jones (Monroe)	Ray
Barnett	Ferguson	Lee	Reynolds (Madison)
Bevill	Gilmer	Long (Lauderdale)	Rozelle
Branyon	Gordon	McCorquodale	Salter
Britton	Grant	McLendon (Bullock)	Shumate
Cabiness	Gross	Meade	Smith (St. Clair)
Camp	Grouby	Merrill	Speaks
Casey	Guthrie	Murphy	Sullivan
Cates	Hain	Nettles	Taylor
Chambers	Hanby	Nichols	Trimmier
Cook	Hardy	Oden	Turnham
Copeland			

—57

A quorum was present.

CONSIDERATION OF H. 244 RESUMED

The question was on the motion of Mr. Perry to lay on the table the motion of Mr. Lee that the House concur in and adopt the Senate amendment to the bill, H. 244.

PRESENCE OF QUORUM ASCERTAINED

Mr. Morrow questioned the presence of a quorum, and on a call of the roll of the House the following members answered to their names:

Mr. Speaker	Daniel	Jones (Monroe)	Powell
Adams	Engel	Lee	Pruitt
Albea	Faulk	Long (Lauderdale)	Ray
Avery	Gilmer	Long (Perry)	Reynolds (Madison)
Bailey	Glass	McClendon (Chambers)	Rogers
Barnett	Gordon	McCorquodale	Rozelle
Bassett	Grant	McLendon (Bullock)	Salter
Bevill	Gross	Meade	Sessions
Branyon	Grouby	Merrill	Shumate
Britton	Guthrie	Morrow	Smith (St. Clair)
Cabiness	Hardy	Murphy	Speaks
Camp	Harvey	Nettles	Steagall
Casey	Hearn	Nichols	Sullivan
Cates	Ingram	Oden	Taylor
Chambers	Jenkins	Owens	Thomas
Copeland	Johnston (Leonard)	Phillips	Trimmier
Cornett	Jones (Covington)	Pierce	Turnham

—68

A quorum was present.

CONSIDERATION OF H. 244 RESUMED

The question was on the motion of Mr. Perry to lay on the table the motion of Mr. Lee that the House concur in and adopt the Senate amendment to the bill, H. 244.

MOTION TO RECESS LOST

The motion of Mr. Johnson (J. T. Tom) that the House recess for fifteen minutes was lost.

CONSIDERATION OF H. 244 RESUMED

The question was on the motion of Mr. Perry to lay on the table the motion of Mr. Lee that the House concur in and adopt the Senate amendment to the bill, H. 244.

MOTION TO ADJOURN LOST

The motion of Mr. Morrow that the House adjourn until Tuesday, August 15, 1961, at twelve o'clock, noon, was lost.

Yeas 31; Nays 53.

Yeas:

Mr. Speaker	Harvey	McClendon (Chambers)	Roberts
Boyd	Hawkins	Morrow	Self
Brewer	Jenkins	Murphy	Sessions
Callahan	Johnson (Hardaway)	Oakley	Torbert
Engel	Johnson (J. T. Tom)	Owens	Trimmier
Gilchrist	Johnston (Leonard)	Perry	Turner
Glass	Locke	Pierce	Vickers
Hanby	Long (Perry)	Rast	

—31

Nays:

Messrs.	Cornett	Jones (Monroe)	Ray
Adams	Daniel	Lee	Reynolds (Madison)
Albea	Faulk	Long (Lauderdale)	Rogers
Avery	Ferguson	McCorquodale	Rozelle
Bailey	Gilmer	McLendon (Bullock)	Salter
Barnett	Gordon	Meade	Shumate
Bassett	Grant	Merrill	Smith (St. Clair)
Bevill	Gross	Nettles	Speaks
Britton	Grouby	Nichols	Steagall
Cabiness	Guthrie	Oden	Sullivan
Camp	Hain	Phillips	Taylor
Casey	Hardy	Powell	Thomas
Cates	Ingram	Pruitt	Turnham
Chambers	Jones (Covington)		

—53

CONSIDERATION OF H. 244 RESUMED

The question was on the motion of Mr. Perry to lay on the table the

motion of Mr. Lee that the House concur in and adopt the Senate amendment to the bill, H. 244.

PRESENCE OF QUORUM ASCERTAINED

Mr. Hawkins questioned the presence of a quorum, and on a call of the roll of the House the following members answered to their names:

Mr. Speaker	Daniel	Ingram	Reynolds (Madison)
Adams	Faulk	Johnston (Leonard)	Rogers
Albea	Ferguson	Jones (Monroe)	Rozelle
Avery	Gilmer	Lee	Salter
Bailey	Glass	McCorquodale	Shumate
Barnett	Gordon	McLendon (Bullock)	Smith (St. Clair)
Bassett	Grant	Meade	Speaks
Branyon	Gross	Merrill	Steagall
Britton	Grouby	Murphy	Sullivan
Cabiness	Guthrie	Nettles	Taylor
Camp	Hain	Phillips	Thomas
Casey	Hanby	Pierce	Torbert
Cates	Hardy	Powell	Trimmier
Chambers	Harvey	Pruitt	Turnham
Cornett	Hawkins	Ray	

—59

A quorum was present.

CONSIDERATION OF H. 244 RESUMED

The question was on the motion of Mr. Perry to lay on the table the motion of Mr. Lee that the House concur in and adopt the Senate amendment to the bill, H. 244.

PRESENCE OF QUORUM ASCERTAINED

Mr. Rast questioned the presence of a quorum, and on a call of the roll of the House the following members answered to their names:

Mr. Speaker	Chambers	Johnston (Leonard)	Pruitt
Adams	Cornett	Jones (Covington)	Ray
Albea	Daniel	Jones (Monroe)	Reynolds (Madison)
Avery	Ferguson	Lee	Rozelle
Bailey	Gilmer	McCorquodale	Salter
Barnett	Gordon	McLendon (Bullock)	Self
Bassett	Grant	Meade	Shumate
Bevill	Gross	Merrill	Smith (St. Clair)
Bishop	Grouby	Murphy	Speaks
Branyon	Guthrie	Nettles	Steagall
Britton	Hain	Oden	Sullivan
Cabiness	Hanby	Owens	Taylor
Camp	Hardy	Phillips	Thomas
Casey	Harvey	Pierce	Turner
Cates	Ingram	Powell	

—59

A quorum was present.

CONSIDERATION OF H. 244 RESUMED

The question was on the motion of Mr. Perry to lay on the table the

motion of Mr. Lee that the House concur in and adopt the Senate amendment to the bill, H. 244.

MOTION TO RECESS LOST

The motion of Mr. Johnston (Leonard) that the House recess for one hour was lost.

Yeas 24; Nays 45.

Yeas:

Mr. Speaker	Edwards	Johnston (Leonard)	Rast
Bishop	Glass	McClendon (Chambers)	Salter
Boyd	Hanby	Morrow	Self
Branyon	Harvey	Murphy	Sessions
Brewer	Hawkins	Perry	Torbert
Callahan	Jenkins	Pierce	Turner

—24

Nays:

Messrs.	Daniel	Jones (Covington)	Pruitt
Adams	Faulk	Jones (Monroe)	Ray
Albea	Ferguson	Lee	Reynolds (Madison)
Avery	Gilmer	McCorquodale	Rozelle
Bailey	Gordon	McLendon (Bullock)	Shumate
Barnett	Grant	Meade	Smith (St. Clair)
Bevill	Gross	Merrill	Speaks
Cabiness	Grouby	Nettles	Steagall
Camp	Guthrie	Oden	Sullivan
Casey	Hain	Owens	Taylor
Cates	Hardy	Powell	Thomas
Cornett	Ingram		

—45

MOTION TO SUSPEND RULES LOST

The motion of Mr. Callahan to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 1225, was lost.

Yeas 22; Nays 41.

Yeas:

Mr. Speaker	Hanby	Morrow	Rozelle
Edwards	Hawkins	Owens	Self
Engel	Johnson (J. T. Tom)	Perry	Sessions
Ferguson	Johnston (Leonard)	Pierce	Turner
Gilchrist	Jones (Covington)	Roberts	Turnham
Glass	McClendon (Chambers)		

—22

Nays:

Messrs.	Bailey	Bevill	Cates
Albea	Barnett	Cabiness	Cornett
Avery	Bassett	Camp	Daniel

Gilmer	Lee	Powell	Smith (St. Clair)
Gordon	McCorquodale	Pruitt	Solomon
Grant	McLendon (Bullock)	Ray	Speaks
Gross	Meade	Reynolds (Madison)	Steagall
Grouby	Merrill	Rogers	Sullivan
Guthrie	Nettles	Salter	Taylor
Hain	Oden	Shumate	Thomas
Hardy	Phillips		

—41

CONSIDERATION OF H. 244 RESUMED

The question was on the motion of Mr. Perry to lay on the table the motion of Mr. Lee that the House concur in and adopt the Senate amendment to the bill, H. 244.

MOTION TO ADJOURN LOST

The motion of Mr. Hawkins that the House adjourn until Friday, August 18, 1961, at ten o'clock A.M. was lost.

Yeas 32; Nays 50.

Yeas:

Mr. Speaker	Gilchrist	Johnson (J. T. Tom)	Pierce
Bishop	Glass	Johnston (Leonard)	Rast
Boyd	Goodwyn	Locke	Roberts
Branyon	Hankins	McClendon (Chambers)	Self
Brewer	Harvey	Morrow	Sessions
Callahan	Hawkins	Murphy	Torbert
Engel	Hearn	Owens	Turner
Franklin	Jenkins	Perry	Vickers

—32

Nays:

Messrs.	Daniel	Lee	Rogers
Adams	Ferguson	McCorquodale	Rozelle
Albea	Gilmer	McLendon (Bullock)	Salter
Avery	Gordon	Meade	Shumate
Bailey	Grant	Merrill	Smith (St. Clair)
Barnett	Gross	Nettles	Solomon
Bassett	Grouby	Nichols	Speaks
Bevill	Guthrie	Oden	Steagall
Cabiness	Hain	Phillips	Sullivan
Camp	Hardy	Powell	Taylor
Cates	Ingram	Pruitt	Thomas
Chambers	Jones (Covington)	Ray	Turnham
Cornett	Jones (Monroe)	Reynolds (Madison)	

—50

CONSIDERATION OF H. 244 RESUMED

MOTION IN WRITING

Mr. Lee offered the following Motion in Writing:

Mr. Speaker:

I move the Previous Question shall now be put on the motion to concur in the Senate amendment to H.B. 244 and on the motion to table.

MOTION TO SUSPEND RULES

Mr. Gilchrist moved to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 823.

The Chair ruled the motion of Mr. Gilchrist was out of order.

CONSIDERATION OF H. 244 RESUMED

The question was on the Motion in Writing offered by Mr. Lee for the previous question.

EDITORIAL FROM MONTGOMERY ADVERTISER

Mr. Hawkins read the following editorial from the Montgomery Advertiser to the House and requested that it be inserted in the Journal of the House, and it was so granted.

THE CIVIL RIGHTS MASK

Some time in the closing days of this session of Congress, it is expected that the annual effort will be made to limit the Senate's right to debate by tampering with Rule XXII.

One proposal, favored by a coalition of Northern Democrats and "liberal" Republicans, would allow a simple majority of the senators to shut off debate. Another scheme, supported by the Kennedy Administration, would require a three-fifths vote of the Senate to kill a filibuster.

Two senators who are certain to vote for one or the other of the two proposals—and probably the first one—are Wayne Morse of Oregon and William Proxmire of Wisconsin.

It happens that Proxmire kept the Senate in session for 26 hours running this week, protesting the appointment of Lawrence J. O'Connor, Jr., to the Federal Power Commission because O'Connor has been associated with the oil and gas industry.

Proxmire was aided in his marathon by Senator Morse, who once set something of a record himself as a one-man filibusterer.

Proxmire was arguing a legitimate point with no intention, he says, of conducting a filibuster. But a 26-hour talk speaks for itself. What would have been his reaction had the Senate cut him off after, say, five hours? No doubt, he, Morse and the other anti-filibuster "liberals" would have been anguished at such an undemocratic gag.

Yet, in the holy name of civil rights, the attempt is being revived to limit debate as though Southern senators are the villains. In fact, of the filibusters waged since the turn of the century, only a fraction have related

to civil rights legislation. Most have been conducted by such as Proxmire and Morse for their own pet reasons.

Senator Russell of Georgia believes that the civil rights tag is now just a mask to conceal the true motives of the anti-filibuster forces. What they really want, he says, is to make it easier to get through "a lot of economic legislation." They are "seeking more to alter the economy of the country than to benefit the negroes."

Considering that two civil rights bills and two extensions of the Civil Rights Commission have passed since 1957 without cloture being invoked, the senator's contention is plausible. It is even more plausible in view of the fact that the Kennedy Administration is seeking no new civil rights legislation this year.

As Proxmire demonstrated this week, the right of extended debate is the right of every senator. Once it is removed, the Senate will have lost a weapon that may be employed by every section of the country for whatever reason. In the name of protecting one minority, every minority will have been exposed to the crushing finality of the simple, numerical majority.

CONSIDERATION OF H. 244 RESUMED

The question was on the Motion in Writing offered by Mr. Lee for the previous question, and said motion was lost.

Yeas 41; Nays 45.

Yeas:

Messrs.	Daniel	Long (Lauderdale)	Shumate
Adams	Gilmer	McLendon (Bullock)	Smith (Russell)
Albea	Gordon	Merrill	Smith (St. Clair)
Avery	Gross	Nettles	Solomon
Barnett	Grouby	Oden	Speaks
Bassett	Guthrie	Phillips	Steagall
Bevill	Hain	Powell	Sullivan
Cabiness	Hardy	Reynolds (Madison)	Taylor
Chambers	Hearn	Rogers	Thomas
Cook	Jones (Covington)	Rozelle	Turnham
Cornett	Lee		

—41

Nays:

Mr. Speaker	Engel	Johnson (Hardaway)	Pierce
Bishop	Ferguson	Johnson (J. T. Tom)	Pruitt
Boyd	Franklin	Johnston (Leonard)	Rast
Branyon	Gilchrist	Locke	Reynolds (Chambers)
Brewer	Glass	McClendon (Chambers)	Roberts
Broadfoot	Goodwyn	Meade	Salter
Callahan	Hanby	Morrow	Self
Casey	Hankins	Murphy	Sessions
Cates	Harvey	Nichols	Torbert
Copeland	Hawkins	Owens	Turner
Dunn	Jenkins	Perry	Vickers
Edwards			

—45

PAIR ANNOUNCED

Mr. Oakley announced that he was paired with Mr. Britton. If Mr. Britton were present he would vote "yea" and Mr. Oakley would vote "nay".

MOTION TO ADJOURN LOST

The motion of Mr. Gilchrist that the House adjourn until Friday, August 18, 1961, at ten o'clock A.M. was lost.

Yeas 34; Nays 57.

Yeas:

Mr. Speaker	Gilchrist	Johnson (J. T. Tom)	Rast
Bishop	Glass	Johnston (Leonard)	Reynolds (Chambers)
Boyd	Goodwyn	Locke	Roberts
Branyon	Hanby	McClendon (Chambers)	Self
Brewer	Hankins	Morrow	Sessions
Broadfoot	Harvey	Murphy	Torbert
Callahan	Hawkins	Owens	Turner
Engel	Jenkins	Perry	Vickers
Franklin	Johnson (Hardaway)		

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Nays:

Messrs.	Cornett	Jones (Monroe)	Reynolds (Madison)
Adams	Daniel	Lee	Rogers
Albea	Dunn	Long (Lauderdale)	Rozelle
Avery	Ferguson	McCorquodale	Salter
Bailey	Gilmer	McLendon (Bullock)	Shumate
Barnett	Gordon	Meade	Smith (Russell)
Bassett	Grant	Merrill	Smith (St. Clair)
Bevill	Gross	Nettles	Solomon
Cabiness	Grouby	Nichols	Speaks
Camp	Guthrie	Oden	Steagall
Casey	Hain	Phillips	Sullivan
Cates	Hardy	Powell	Taylor
Chambers	Hearn	Pruitt	Thomas
Cook	Ingram	Ray	Turnham
Copeland	Jones (Covington)		

—57

CONSIDERATION OF H. 244 RESUMED

The question was on the motion of Mr. Perry to lay on the table the motion of Mr. Lee that the House concur in and adopt the Senate amendment to the bill, H. 244.

MOTION TO RECESS LOST

The motion of Mr. Reynolds (Chambers) that the House recess until ten o'clock this morning was lost.

Yeas 33; Nays 41.

Yeas:

Mr. Speaker	Brewer	Callahan	Engel
Branyon	Broadfoot	Edwards	Franklin

Gilchrist	Jenkins	Morrow	Powell
Glass	Johnson (<i>Hardaway</i>)	Murphy	Rast
Goldthwaite	Johnson (<i>J. T. Tom</i>)	Nichols	Reynolds (<i>Chambers</i>)
Goodwyn	Johnston (<i>Leonard</i>)	Owens	Sessions
Hanby	Locke	Perry	Turner
Harvey	McClendon (<i>Chambers</i>)	Pierce	Vickers
Hawkins			

—33

Nays:

Messrs.	Chambers	Hardy	Reynolds (<i>Madison</i>)
Adams	Copeland	Jones (<i>Covington</i>)	Rogers
Albea	Cornett	Lee	Rozelle
Avery	Daniel	Long (<i>Lauderdale</i>)	Shumate
Bailey	Dunn	McCorquodale	Smith (<i>St. Clair</i>)
Barnett	Gilmer	Meade	Steagall
Bassett	Grant	Nettles	Sullivan
Bevill	Gross	Oden	Taylor
Camp	Grouby	Phillips	Thomas
Casey	Guthrie	Ray	Turnham
Cates	Hain		

—41

CONSIDERATION OF H. 244 RESUMED

The question was on the motion of Mr. Perry to lay on the table the motion of Mr. Lee that the House concur in and adopt the Senate amendment to the bill, H. 244.

PRESENCE OF QUORUM ASCERTAINED

Mr. Turner questioned the presence of a quorum, and on a call of the roll of the House the following members answered to their names:

Messrs.	Engel	McCorquodale	Reynolds (<i>Madison</i>)
Adams	Gilmer	McLendon (<i>Bullock</i>)	Rogers
Albea	Glass	Meade	Rozelle
Avery	Grant	Merrill	Salter
Bailey	Gross	Murphy	Sessions
Barnett	Grouby	Nettles	Shumate
Bassett	Guthrie	Nichols	Smith (<i>Russell</i>)
Bevill	Hain	Oden	Smith (<i>St. Clair</i>)
Camp	Hardy	Owens	Solomon
Casey	Jones (<i>Covington</i>)	Phillips	Steagall
Cates	Jones (<i>Monroe</i>)	Pierce	Sullivan
Copeland	Lee	Powell	Taylor
Cornett	Long (<i>Lauderdale</i>)	Pruitt	Thomas
Daniel	McClendon (<i>Chambers</i>)	Ray	Turnham
Dunn			

—56

A quorum was present.

CONSIDERATION OF H. 244 RESUMED

The question was on the motion of Mr. Perry to lay on the table the motion of Mr. Lee that the House concur in and adopt the Senate amendment to the bill, H. 244.

PRESENCE OF QUORUM ASCERTAINED

Mr. Owens questioned the presence of a quorum, and on a call of the roll of the House the following members answered to their names:

Mr. Speaker	Cornett	Jones (Monroe)	Ray
Adams	Daniel	Lee	Reynolds (Madison)
Albea	Engel	Long (Lauderdale)	Rogers
Avery	Gilmer	McClendon (Chambers)	Rozelle
Bailey	Goldthwaite	McCorquodale	Salter
Barnett	Gordon	McLendon (Bullock)	Shumate
Bassett	Grant	Meade	Smith (Russell)
Bevill	Gross	Merrill	Smith (St. Clair)
Boyd	Grouby	Murphy	Solomon
Camp	Guthrie	Nettles	Steagall
Casey	Hain	Oden	Sullivan
Cates	Hanby	Phillips	Taylor
Chambers	Hardy	Powell	Thomas
Cook	Hearn	Pruitt	Turnham
Copeland	Jones (Covington)		

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A quorum was present.

CONSIDERATION OF H. 244 RESUMED

The question was on the motion of Mr. Perry to lay on the table the motion of Mr. Lee that the House concur in and adopt the Senate amendment to the bill, H. 244.

MOTION TO SUSPEND RULES LOST

The motion of Mr. Owens to suspend the rules in order to allow the Standing Committee on Local Legislation No. 1 to report was lost.

Yeas 18; Nays 49.

Yeas:

Messrs.	Franklin	Locke	Pierce
Brewer	Gilchrist	McClendon (Chambers)	Rast
Callahan	Hanby	Murphy	Roberts
Edwards	Hawkins	Oakley	Sessions
Engel	Johnson (J. T. Tom)	Perry	

—18

Nays:

Messrs.	Cornett	Lee	Reynolds (Madison)
Albea	Daniel	Long (Lauderdale)	Rogers
Avery	Gilmer	McCorquodale	Rozelle
Bailey	Gordon	McLendon (Bullock)	Salter
Barnett	Grant	Meade	Shumate
Bassett	Gross	Merrill	Smith (Russell)
Bevill	Grouby	Nettles	Smith (St. Clair)
Camp	Guthrie	Oden	Solomon
Casey	Hain	Phillips	Steagall
Cates	Hardy	Powell	Sullivan
Chambers	Hearn	Pruitt	Taylor
Cook	Jones (Covington)	Ray	Turnham
Copeland	Jones (Monroe)		

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MOTION IN WRITING

Mr. Locke offered the following Motion in Writing:

MOTION TO REFER HB 244 AS AMENDED OR SUBSTITUTED TO A
STANDING COMMITTEE OF THE HOUSE.

WHEREAS it affirmatively appears that the subject matter of H. B. 244 was the redistricting of the Congressional districts so as to combine the 4th and 5th districts, and

WHEREAS those given notice had opportunity to have a public hearing before standing committees of both the House of Representatives and the Senate in accord with Section 62 of the Constitution of the State of Alabama, and

WHEREAS the Senate adopted what purports to be a substitute or amendment to H. B. 244 on the floor of the Senate on the next preceding Legislative Day which was adopted without being referred to a Standing Committee of the Senate and the Ninth Congressional District was afforded no notice nor opportunity to be heard,

NOW, THEREFORE, as a Representative of Jefferson County in the House of Representatives of the State of Alabama from the Ninth Congressional District, I do call upon the Speaker to rule that the substitute or amendment is not germane to the original bill in that the subject matter is different.

And, I do further request that House Bill 244 as amended or substituted be referred to a Standing Committee of the House of Representatives in accord with Section 62 of the Constitution of the State of Alabama.

Respectfully submitted,
Hugh A. Locke, Jr.
Representative, Jefferson County

MOTION IN WRITING BY MR. LOCKE

Overruled and denied by the Chair.

MOTION IN WRITING

Mr. Locke offered the following Motion in Writing:

MOTION TO CARRY OVER H. B. 244 FOR THE READING OF THE BILL
FOR 3 TIMES ON SEPARATE DAYS.

WHEREAS it affirmatively appears that the subject matter of H. B. 244 was the redistricting of the congressional districting so as to combine the Fourth and Fifth Districts, and,

WHEREAS those given notice had opportunity to have a public hearing before standing committee of both the House of Representatives and the

Senate in accord with Section 62 and the original bill, H. B. 244, was read three times on three days;

WHEREAS the Senate amendment while still a redistricting bill nevertheless partitions the Ninth District, this it is contended constitutes a change of subject matter and is not allowable under the Constitution of the State of Alabama, and

WHEREAS this being substituted as above set out and a change of subject matter within the purview and intent of the Section 62 of the Constitution of the State of Alabama, and

WHEREAS this House upon a previous occasion where Representative Roberts offered an amendment to H. B. 849 which in effect offered a reapportionment amendment to a bill to freeze the pay among the 67 counties and the Speaker ruled that the amendment had to be carried over to receive additional reading,

NOW, THEREFORE, we hereby move that H. B. 244 as amended be carried over in order to receive three readings on three legislative days in accord with Section 63 of the Constitution of Alabama.

MOTION IN WRITING BY MR. LOCKE

Overruled and denied by the Chair.

MOTION IN WRITING

Mr. Lee offered the following Motion in Writing:

Mr. Speaker:

I move the previous Question shall now be put on the motion to concur in the Senate amendment to H. B. 244 and on the motion to table.

And the Motion in Writing offered by Mr. Lee for the previous question was adopted.

Yeas 50; Nays 43.

Yeas:

Messrs.	Copeland	Jones (Monroe)	Rogers
Adams	Cornett	Lee	Rozelle
Albea	Daniel	Long (Lauderdale)	Salter
Avery	Gilmer	McCorquodale	Shumate
Bailey	Gordon	McLendon (Bullock)	Smith (Russell)
Barnett	Grant	Merrill	Smith (St. Clair)
Bassett	Gross	Nettles	Solomon
Bevill	Grouby	Oden	Speaks
Cabiness	Guthrie	Phillips	Steagall
Camp	Hain	Powell	Sullivan
Casey	Hardy	Pruitt	Thomas
Chambers	Ingram	Ray	Turnham
Cook	Jones (Covington)	Reynolds (Madison)	

Nays:

Mr. Speaker	Gilchrist	Johnson (Hardaway)	Perry
Boyd	Glass	Johnson (J. T. Tom)	Pierce
Branyon	Goldthwaite	Johnston (Leonard)	Rast
Brewer	Goodwyn	Locke	Reynolds (Chambers)
Broadfoot	Hanby	Long (Perry)	Roberts
Callahan	Hankins	McClendon (Chambers)	Self
Dodd	Harris	Martin	Sessions
Edwards	Harvey	Morrow	Torbert
Engel	Hawkins	Murphy	Turner
Ferguson	Hearn	Nichols	Vickers
Franklin	Jenkins	Owens	

—43

PAIR ANNOUNCED

Mr. Oakley announced that he was paired with Mr. Britton. If Mr. Britton were present he would vote "yea" and Mr. Oakley would vote "nay".

LEAVE OF ABSENCE

On motion of Mr. Hankins leave of absence was granted to Mr. Bishop.

MOTION TO ADJOURN LOST

The motion of Mr. Goodwyn that the House adjourn until Friday, August 18, 1961, at ten o'clock A. M. was lost.

Yeas 40; Nays 55.

Yeas:

Mr. Speaker	Gilchrist	Johnson (Hardaway)	Perry
Boyd	Glass	Johnson (J. T. Tom)	Pierce
Branyon	Goldthwaite	Johnston (Leonard)	Rast
Brewer	Goodwyn	Locke	Reynolds (Chambers)
Broadfoot	Hanby	Long (Perry)	Roberts
Callahan	Hankins	McClendon (Chambers)	Self
Dodd	Harris	Morrow	Sessions
Edwards	Harvey	Murphy	Torbert
Engel	Hawkins	Nichols	Turner
Franklin	Jenkins	Owens	Vickers

—40

Nays:

Messrs.	Copeland	Jones (Covington)	Ray
Adams	Cornett	Jones (Monroe)	Reynolds (Madison)
Albea	Daniel	Lee	Rogers
Avery	Ferguson	Long (Lauderdale)	Rozelle
Bailey	Gilmer	McCorquodale	Salter
Barnett	Gordon	McLendon (Bullock)	Shumate
Bassett	Grant	Martin	Smith (Russell)
Bevill	Gross	Meade	Smith (St. Clair)
Cabiness	Grouby	Merrill	Solomon
Camp	Guthrie	Nettles	Speaks
Casey	Hain	Oden	Steagall
Cates	Hardy	Phillips	Sullivan
Chambers	Hearn	Powell	Thomas
Cook	Ingram	Pruitt	Turnham

—55

CONSIDERATION OF H. 244 RESUMED

The question was on the motion of Mr. Perry to lay on the table the motion of Mr. Lee that the House concur in and adopt the Senate amendment to the bill, H. 244, and the motion to table was lost.

Yeas 40; Nays 56.

Yeas:

Mr. Speaker	Franklin	Jenkins	Perry
Boyd	Gilchrist	Johnson (Hardaway)	Pierce
Branyon	Glass	Johnson (J. T. Tom)	Rast
Brewer	Goldthwaite	Locke	Reynolds (Chambers)
Broadfoot	Goodwyn	McClendon (Chambers)	Roberts
Callahan	Hanby	Martin	Self
Dodd	Hankins	Morrow	Sessions
Edwards	Harris	Murphy	Torbert
Engel	Harvey	Nichols	Turner
Ferguson	Hawkins	Owens	Vickers

—40

Nays:

Messrs.	Cornett	Jones (Covington)	Ray
Adams	Daniel	Jones (Monroe)	Reynolds (Madison)
Albea	Dunn	Lee	Rogers
Avery	Gilmer	Long (Lauderdale)	Rozelle
Bailey	Gordon	Long (Perry)	Salter
Barnett	Grant	McCorquodale	Shumate
Bassett	Gross	McLendon (Bullock)	Smith (Russell)
Bevill	Grouby	Meade	Smith (St. Clair)
Cabiness	Guthrie	Merrill	Solomon
Camp	Hain	Nettles	Speaks
Casey	Hardy	Oden	Steagall
Cates	Hearn	Phillips	Sullivan
Chambers	Ingram	Powell	Thomas
Cook	Johnston (Leonard)	Pruitt	Turnham
Copeland			

—56

And the motion of Mr. Lee that the House concur in and adopt the Senate amendment to the bill, H. 244, was adopted.

Yeas 56; Nays 39.

Yeas:

Messrs.	Chambers	Hain	McLendon (Bullock)
Adams	Cook	Hardy	Meade
Albea	Copeland	Hearn	Merrill
Avery	Cornett	Ingram	Nettles
Bailey	Daniel	Johnston (Leonard)	Oden
Barnett	Gilmer	Jones (Covington)	Phillips
Bassett	Gordon	Jones (Monroe)	Powell
Bevill	Grant	Lee	Pruitt
Cabiness	Gross	Long (Lauderdale)	Ray
Camp	Grouby	Long (Perry)	Reynolds (Madison)
Cates	Guthrie	McCorquodale	Roberts

Rogers	Smith (Russell)	Speaks	Thomas
Rozelle	Smith (St. Clair)	Steagall	Torbert
Salter	Solomon	Sullivan	Turnham
Shumate			

—56

Nays:

Mr. Speaker	Engel	Hawkins	Owens
Boyd	Ferguson	Jenkins	Perry
Branyon	Franklin	Johnson (Hardaway)	Pierce
Brewer	Gilchrist	Johnson (J. T. Tom)	Rast
Broadfoot	Goldthwaite	Locke	Reynolds (Chambers)
Callahan	Goodwyn	McClendon (Chambers)	Self
Casey	Hanby	Martin	Sessions
Dodd	Hankins	Morrow	Turner
Dunn	Harris	Murphy	Vickers
Edwards	Harvey	Nichols	

—39

PAIRS ANNOUNCED

Mr. Oakley announced that he was paired with Mr. Britton. If Mr. Britton were present he would vote "yea" and Mr. Oakley would vote "nay".

Mr. Glass announced that he was paired with Mr. Faulk. If Mr. Faulk were present he would vote "yea" and Mr. Glass would vote "nay".

MOTION TO ADJOURN LOST

The motion of Mr. Gilchrist that the House adjourn until Friday, August 18, 1961, at ten o'clock A. M. was lost.

Yeas 35; Nays 61.

Yeas:

Mr. Speaker	Franklin	Hawkins	Perry
Boyd	Gilchrist	Jenkins	Pierce
Branyon	Glass	Johnson (Hardaway)	Rast
Brewer	Goldthwaite	Locke	Reynolds (Chambers)
Broadfoot	Goodwyn	McClendon (Chambers)	Roberts
Callahan	Hanby	Morrow	Self
Dodd	Hankins	Murphy	Sessions
Edwards	Harris	Nichols	Turner
Engel	Harvey	Owens	

—35

Nays:

Messrs.	Bevill	Copeland	Grant
Adams	Cabiness	Cornett	Gross
Albea	Camp	Daniel	Grouby
Avery	Casey	Dunn	Guthrie
Bailey	Cates	Ferguson	Hain
Barnett	Chambers	Gilmer	Hardy
Bassett	Cook	Gordon	Hearn

Ingram	McLendon (Bullock)	Pruitt	Smith (St. Clair)
Johnson (J. T. Tom)	Martin	Ray	Solomon
Johnston (Leonard)	Meade	Reynolds (Madison)	Speaks
Jones (Covington)	Merrill	Rogers	Steagall
Jones (Monroe)	Nettles	Rozelle	Sullivan
Lee	Oakley	Salter	Thomas
Long (Lauderdale)	Oden	Shumate	Turnham
Long (Perry)	Phillips	Smith (Russell)	Vickers
McCorquodale	Powell		

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MOTION TO TABLE ADOPTED

Mr. Lee moved to reconsider the vote by which the House concurred in and adopted the Senate amendment to the bill, H. 244, and further moved to lay his motion to reconsider on the table.

Mr. Perry called for a division of the question.

The question was then on the motion of Mr. Lee to lay on the table his motion to reconsider the vote by which the House concurred in and adopted the Senate amendment to the bill, H. 244, and the motion to table was adopted.

Yeas 54; Nays 43.

Yeas:

Messrs.	Daniel	Jones (Monroe)	Rogers
Adams	Dunn	Lee	Rozelle
Albea	Gilmer	Long (Lauderdale)	Salter
Avery	Gordon	McCorquodale	Shumate
Bailey	Grant	McLendon (Bullock)	Smith (Russell)
Barnett	Gross	Merrill	Smith (St. Clair)
Bassett	Grouby	Nettles	Solomon
Bevill	Guthrie	Oakley	Speaks
Cabiness	Hain	Oden	Steagall
Camp	Hardy	Phillips	Sullivan
Chambers	Hearn	Powell	Thomas
Cook	Ingram	Pruitt	Torbert
Copeland	Johnston (Leonard)	Ray	Turnham
Cornett	Jones (Covington)	Reynolds (Madison)	

—54

Nays:

Mr. Speaker	Ferguson	Jenkins	Owens
Boyd	Franklin	Johnson (Hardaway)	Perry
Branyon	Gilchrist	Johnson (J. T. Tom)	Pierce
Brewer	Glass	Locke	Rast
Broadfoot	Goldthwaite	Long (Perry)	Reynolds (Chambers)
Callahan	Goodwyn	McClendon (Chambers)	Roberts
Casey	Hanby	Martin	Self
Cates	Hankins	Meade	Sessions
Dodd	Harris	Morrow	Turner
Edwards	Harvey	Murphy	Vickers
Engel	Hawkins	Nichols	

—43

UNANIMOUS CONSENT GRANTED

Messrs. Murphy, Dunn, Callahan, Long (Perry), Glass, Ferguson, Barnett, Martin, Ramey, Pruitt and Oakley requested unanimous consent to have their names removed as co-authors of the bill, H. 244, and it was so granted.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Bassett to suspend the rules in order to allow the Standing Committee on Local Legislation No. 1 to report was adopted.

REPORT OF STANDING COMMITTEE ON LOCAL LEGISLATION NO. 1

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1306. To propose a constitutional amendment relative to levying additional taxes in Chilton County for acquiring, constructing and maintaining a vocational trade school and for rural and industrial development of the county.

The above bill was read a second time at length as required by the Constitution.

H. 1308. To provide additional revenue in Cullman County; authorizing the Court of County Commissioners, Board of Revenue, or like county governing body, to levy, when approved at a referendum election, special county privilege license taxes paralleling, at lower rates, state sales and use taxes as provided for in Act No. 100, H. 94, approved August 18, 1959, and in Article 11 of Chapter 20, Title 51, Code of Alabama of 1940, as heretofore or hereafter amended or supplemented; and to provide for the ascertainment, collection, payment, distribution and use of the proceeds of such license tax; and for the enforcement of this Act; and to prescribe penalties and fixing punishment for any violation of this Act.

H. 1312. To amend Section 1 of Act No. 23, H. 3, Second Special Session 1955, an act relating to the Nineteenth Judicial Circuit and authorizing the circuit solicitor to appoint a stenographic secretary.

H. 1313. Relating to all counties which have populations of not less than 28,000 nor more than 30,550 according to the most recent or any subsequent federal decennial census; levying a license tax on persons and others engaging in selling tangible personal property at retail and on persons and others conducting places of amusement in said counties, the said tax to be measured by the gross receipts or gross proceeds of such businesses; levying an excise tax on the storage, use or other consumption in said counties of tangible personal property purchased for use, storage or other consumption in said counties; specifying sales and transactions that are exempt from the measurement of the said license tax; specifying property the use, storage or other consumption of which is exempt from the said excise tax; providing for payment of said taxes, making reports and maintaining records with respect thereto, the collection of the said taxes, and the enforcement of the provisions of this act; making applicable

to the taxes herein levied, and adopting by reference, certain provisions of Act No. 100 adopted at the 1959 Second Special Session of the Legislature of Alabama and of Article 11 of Chapter 20 of Title 51 of the Code of Alabama, as amended; providing that the Commissioner of Revenue and the State Department of Revenue shall have all powers and duties respecting the taxes herein levied and the collection thereof that they have under said Act No. 100 and said Article 11, as amended as aforesaid; providing for collection of said excise tax by sellers registered under Section 790 of Title 51 of the Code of Alabama of 1940, as amended; providing that the said license tax shall be added to the sales price or admission fee and passed on to the purchaser or person paying the said admission fee; providing for a discount to persons subject to the said license tax and to such registered sellers; providing for a charge by the State Department of Revenue for collecting the taxes herein levied; and providing for the use of the revenues from said taxes.

H. 1320. To alter, rearrange, and extend the boundary lines and corporate limits of the City of Linden, in Marengo County, Alabama.

H. 1325. To establish the maximum rate which newspapers in all counties having populations of not less than 57,000 nor more than 61,000, according to the 1960 or any subsequent federal decennial census, may charge and which an individual, officer, municipality, county, the State, a governmental subdivision, or any other legal entity may pay for the publication of legal notices, advertisements, publications, statements, or other matter required by law or rules or orders of courts to be published in newspapers.

H. 1326. Relating to Morgan County; authorizing the governing body of the county to furnish fuel and necessary equipment for the preparation and storing of food for prisoners held in the Morgan County Jail by the Sheriff.

H. 1327. To provide for the feeding and care of certain county prisoners of Morgan County employed or used on the construction, repair, and maintenance of county roads and bridges, or other such road work; to provide hospital and medical care and treatment for any of such prisoners who are injured or become ill while engaged in such road work; to prescribe the powers, duties, and authority of the sheriff and the Board of Revenue and Control or like governing body of Morgan County, Alabama, in carrying out the provisions of this Act.

H. 1328. To amend Section 2 of Act No. 280, H. 739, approved October 9, 1959, entitled "An Act to authorize and provide for the establishment, maintenance, operation and financing of a public law library in Morgan County, Alabama" (Acts of Alabama 1959, vol. 1, p. 842).

H. 1329. For the relief of Mrs. Ruby McNutt as compensation for the death of her husband, Elbert McNutt, deceased, of Morgan County, Alabama, as the result of injury received while he was in the line of and performing his duties as road employee of Morgan County, Alabama.

H. 1330. To abolish the fine and forfeiture fund in the county treasury of Morgan County; to provide for the payment of all fines and forfeitures collected into the general fund of said county; to provide for the payment of certain claims from the general fund of said county in lieu of the fine and forfeiture fund.

H. 1331. For the relief of W. O. Dixon; authorizing the Board of Revenue and Control or like governing body of Morgan County, Alabama, to make an appropriation out of the General Fund of the county treasury to compensate W. O. Dixon for certain damages.

H. 1335. To propose a constitutional amendment relative to levying additional taxes in Lamar County for public school purposes.

The above bill was read a second time at length as required by the Constitution.

H. 1336. Relating to consolidation of certain schools in counties having populations of not less than 24,800 nor more than 25,400; providing for and requiring referendums on such questions.

H. 1338. To provide for the appointment of bailiffs for the circuit courts of all counties having populations of not less than 96,000 nor more than 116,000, and regulate their compensation.

H. 1339. To alter and re-arrange the boundaries and corporate limits of the City of Athens, Limestone County, so as to annex certain territory.

S. 553. Relating to consolidation of certain schools in counties having populations of not less than 24,800 nor more than 25,400; providing for and requiring referendums on such questions.

H. 1340. Relating to Crenshaw County; levying a license tax on persons and others engaging in selling tangible personal property at retail and on persons and others conducting places of amusement in said county, the said tax to be measured by the gross receipts or gross proceeds of such businesses; levying an excise tax on the storage, use or other consumption in said county of tangible personal property purchased for use, storage or other consumption in said county; specifying sales and transactions that are exempt from the measurement of the said license tax; specifying property the use, storage or other consumption of which is exempt from the said excise tax; providing for payment of said taxes, making reports and maintaining records with respect thereto, the collection of the said taxes, and the enforcement of the provisions of this act; making applicable to the taxes herein levied, and adopting by reference, certain provisions of Act No. 100 adopted at the 1959 Second Special Session of the Legislature of Alabama and of Article 11 of Chapter 20 of Title 51 of the Code of Alabama, as amended; providing that the Commissioner of Revenue and the State Department of Revenue shall have all powers and duties respecting the taxes herein levied and the collection thereof that they have under said Act No. 100 and said Article 11, as amended as aforesaid; providing for collection of said excise tax by sellers registered under Section 790 of Title 51 of the Code of Alabama of 1940, as amended; providing that the said license tax shall be added to the sales price or admission fee and passed on to the purchaser or persons paying the said admission fee; providing for a discount to persons subject to the said license tax and to such registered sellers; providing for a charge by the State Department of Revenue for collecting the taxes herein levied; and providing for the use of the revenues from said taxes.

H. 1342. Proposing an amendment to the Constitution of Alabama, relative to the levying of additional taxes for school purposes within Montgomery County.

The above bill was read a second time at length as required by the Constitution.

H. 1343. To further amend Section 402 (17), Title 37, of the Code of Alabama 1940, which was last amended by Act No. 622 of the General Acts of Alabama 1957, relating to the Board of Directors of municipal corporations in cities with a population of between 6,500 and 8,500 people, according to the latest Federal Census, for the purpose of owning, operating and financing water, sewer, gas and electric systems.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Turner:

S. J. R. 37. Be it resolved by the Senate of Alabama, the House of Representatives concurring, that when the two houses adjourn on August 12, 1961, they do adjourn until Friday, August 18, 1961, at 10:00 o'clock A. M.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Brewer the rules were suspended and the House concurred in and adopted the S. J. R. 37 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Mr. Caffey:

S. 526. To Amend Act No. 111, H. 419, approved June 30, 1955 (Acts of Alabama, 1955, p. 356), entitled "An Act To fix the salary of the tax collector of Mobile County, and to regulate the payment thereof."

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To Amend Act No. 111, H. 419, approved June 30, 1955 (Acts of Alabama, 1955 p. 356), entitled "An Act To Fix the Salary of the Tax Collector of Mobile County, and to regulate the payment thereof."

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 111, H. 419, approved June 30, 1955 (Acts of Alabama, 1955, p. 356), entitled "An Act to fix the salary of the tax collector of Mobile County, and to regulate the payment thereof," is amended to read as follows:

"Section 1. The tax collector of Mobile County shall be compensated on a salary basis. He shall be paid a salary of ten thousand dollars (\$10,000) per annum. Such salary shall be paid in twelve equal monthly installments in the manner prescribed by Act No. 241, H. 401, approved August 15, 1935. Such salary shall be in lieu of all other compensation, fees, commissions, perquisites, and emoluments for the performance of the duties of his office, or for the performance of any other act or service connected with his office."

Section 2. This Act shall take effect at the commencement of the term of office of the tax collector of Mobile County which begins next after the passage and approval of this Act.

PROOF OF PUBLICATION

W. F. Egan being sworn, says that he is Comptroller of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama; and the attached notice appeared in the issue of The Mobile Press, The Mobile Register April 15, 22, 29, May 6, 1961.

W. F. EGAN.

Sworn to and subscribed before me this 6 day of May, 1961.

JOHN A. BELL,
Notary Public.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bill, the title to which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 526. Local Legislation No. 1

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Messrs. Dumas and Caffey:

S. 515. To repeal Section 56 of Title 17, Code of Alabama 1940, which relates to meeting of, clerical assistants for and the salary or compensation of the members of the boards of registrars in counties having populations of more than 300,000.

Also:

By Messrs. Dumas and Caffey:

S. 516. To repeal Act No. 171, H. 441, approved June 17, 1943, entitled, "An Act to provide for the disposition, in all counties of this State which, according to the last Federal census, or any subsequent Federal census, having a population of 300,000 or more of all fines, forfeitures and costs which hereafter may be paid by any person or persons convicted in any court of competent jurisdiction in such counties of violations of the rules and regulations promulgated by the State Highway Commission concerning the operation of motor vehicles upon the highways of this State, and of violations of the Alabama Highway Code, where the persons thus convicted have been arrested by the Sheriff, or his deputies, or by any other county or municipal law enforcement officer, qualified to make such arrests in such counties," (General Acts of Alabama 1943, p. 157).

Also:

By Messrs. Dumas and Caffey:

S. 517. To repeal Act No. 668, H. 760, approved October 8, 1947, entitled, "An Act to provide for the registration of voters and purging registration lists in counties having a population of 300,000 or more according to the last or any subsequent federal census; and to provide for the compensation of the chairman and members of the Board of Registrars in such counties; and to provide for employment of clerical or secretarial employees under the provisions of the county Merit System Act," (General Acts of Alabama 1947, p. 509).

Also:

By Mr. deGraffemied.

S. 512. To amend Sections 7, 9 and 11 of Act No. 328, H. 854, approved October 29, 1959, An Act to create in the City of Tuscaloosa, Alabama, a fund to be known as the Firemen's and Policemen's Pension and Relief Fund, so as to require additional contribution to the fund by each fireman and policeman eligible to participate in the fund; to require additional contribution to the fund out of the treasury of the city; to permit the board of trustees of the fund to employ an agent or investment counselor; to direct periodic actuarial studies of the fund; and to authorize additional investments of a portion of the fund.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE NOTICE OF PROPOSED LEGISLATION

Notice is hereby given that at the present Regular Session of the Legislature of Alabama a bill substantially as follows will be introduced, and application for its passage will be made:

A BILL
TO BE ENTITLED
AN ACT

To amend Sections 7, 9 and 11 of Act No. 328, H. 854, approved October 29, 1959, An Act to create in the City of Tuscaloosa, Alabama, a fund to be known as the Firemen's and Policemen's Pension and Relief Fund, so as to require additional contribution to the fund by each fireman and policeman eligible to participate in the fund; to require additional contribution to the fund out of the treasury of the city; to permit the board of trustees of the fund to employ an agent or investment counselor; to direct periodic actuarial studies of the fund; and to authorize additional investments of a portion of the fund.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 7 of Act No. 328, adopted at the 1959 Regular Session of the Legislature of Alabama, is hereby amended to read as follows:

"Section 7. Composition of Fund.

Said firemen's and policemen's pension and relief fund shall be derived, obtained, and created as follows: A. From the salary of each fireman and each policeman there shall be deducted, as the same becomes payable, and paid into said fund, an amount equal to nine percentum of the amount of such salary. Provided that whenever a member of the fire or police department of such city is ineligible to participate in the benefits of such fund by reason of the provisions of this Act, neither such ineligible member nor his salary or other compensation shall be subject to any assessment for the benefit of such fund. B. Each fire insurance company, including mutual and industrial fire insurance companies, qualified to do business under the laws of Alabama, and doing business in such city, shall annually and on or before the first day of March of each year hereafter, pay into said Firemen's and Policemen's Pension and Relief Fund, a sum equal to one and one-half per centum of the gross premiums, less return premiums, received by such fire insurance company for and on account of business, including all renewals of fire insurance, done by it in the city, during the preceding calendar year; and it shall be unlawful for any such fire insurance company or its agent, to take or receive any premium for insurance against fire within the city unless such fire insurance company shall pay, at the time aforesaid, to the said Firemen's and Policemen's Pension and Relief Fund, the amount herein provided to be paid by such fire insurance company; and any such fire insurance company violating any of the provisions of this section shall forfeit to the said Firemen's and Policemen's Pension and Relief Fund the sum of One Thousand Dollars, to be recovered against such fire insurance company so violating said provisions, or its agent, by suit brought in the name of the city for the use of such fund. Each person, firm or corporation, which conducts a fire insurance agency or brokerage business in such city, shall annually, within the first ten days of each year, make and file a sworn statement, in writing, with the city clerk of such city, as treasurer of such fund, giving the name and address of each fire insurance company which such person, firm or corporation represented or did business for, as agent or broker, during the preceding year; and any such person, firm or corporation conducting any such fire insurance agency or brokerage business in such city, violating the provisions of this section shall forfeit to the said Firemen's and Policemen's Pension and Relief Fund the sum of One Hundred Dollars to be recovered against such person, firm or corporation, so violating such provisions, by suit brought in the name of such city for the use of such fund and all such forfeitures and penalties provided for herein,

when collected, shall be and become a part of said Firemen's and Policemen's Pension and Relief Fund. Provided, however, that the said sum equal to one and one-half per centum of gross premiums, less return premiums, required by this paragraph of this section to be paid by fire insurance companies into said Firemen's and Policemen's Pension and Relief Fund shall be treated and held to be a part of the maximum of four per cent on each one hundred dollars, or major fraction thereof, of gross premiums, less return premiums, which any municipal corporation may by law impose upon any fire insurance company in any one year as a license or privilege tax for the privilege of doing business in such municipality during such year under Section 739 of Title 37 of the Code of Alabama of 1940 as amended or as the same may be amended. C. All firemen and policemen shall promptly pay into such fund all witness fees in criminal cases, and in cases in which they have been summoned by the city, received by them from any court in the county in which such city is situated, and all moneys received by them or any of them as a reward or gratuity for the apprehension of any person, the furnishing of any evidence, the recovery or saving of any property, services at any fire, or otherwise received by them for similar service or for work in the line of his duty. D. There shall be paid into such fund, as and when received, all liquor seizure fees received by any policeman or to which he may be entitled and all amounts received by the city from the State Alcohol Beverage Control Board for confiscated liquors and beverages delivered to it as required by law. E. The Board of Trustees may take by gift, grant, devise or bequest, any money, personal property, real estate or any interest therein or any right of property; and any such gift, grant, devise or bequest may be absolute or in fee simple or upon condition that only rents, income and profits arising therefrom shall be applied to the purposes for which said fund is created. F. The governing body of the city shall cause to be paid into such fund out of the treasury of such city, an amount equal to nine per centum of the salary of each member of such fire and police department who is eligible to participate in the benefits of such fund, such payment to be made to such fund as and when such salary becomes payable, and deduction therefrom is made as provided in this section."

Section 2. Section 9 of Act No. 328, adopted at the 1959 Regular Session of the Legislature of Alabama, is hereby amended to read as follows:

"Section 9. Board to Manage and Control Fund.

The Board of Trustees shall be the trustee of such fund and shall have the exclusive management and control thereof, and all matters legitimately connected therewith. It shall have power to adopt and enforce such rules and regulations as may be necessary to enable it effectively and properly to carry into execution the purposes for which it was organized, and to enable it to properly manage and conduct the business and affairs entrusted to it, provided such rules and regulations shall in no way contravene the provisions of this Act, but shall be in conformity thereto. The Board of Trustees may employ an investment counselor or agent to invest and manage such portion of the Fund as the Board may direct. The Board of Trustees shall hear and decide all applications for pension or relief under this Act and its decisions on such applications shall be final and conclusive, and not subject to review or reversal, except by said Board. It shall cause to be kept a record of all its meetings and proceedings. From and after the election of members of the Board of Trustees in January of 1962, five members of said Board shall constitute a quorum for the transaction of any and all business of said Board and the affirmative vote of five members shall be necessary and sufficient to adopt any resolution; prior to the

election of additional trustees in 1962, three members of the Board shall constitute such quorum. Meeting of said Board shall be held in the council chamber in the city hall at such time as it may be called to meet by the Chairman or by any two members. Neither the secretary, treasurer, custodian, nor any member of said Board, shall receive any salary or compensation for his services. The Board of Trustees shall cause an actuarial study to be made of the Fund by some person, firm or corporation experienced in actuarial evaluation on or before January 30, 1967, and at least once every six (6) years thereafter and cause the results of such study to be made available to all firemen and policemen who participate in the Fund."

Section 3. Section 11 of Act No. 328, adopted at the 1959 Regular Session of the Legislature of Alabama, is hereby amended to read as follows:

"Section 11. Investment of Portion of Fund.

The Board of Trustees, after considering the probable demands upon the fund may invest such portion of it as may be safely withdrawn for the purpose. Of that portion of the fund which the Board of Trustees has determined to be available for investment, not less than forty percent (40 per cent) shall be invested, or held for investment, in interest bearing bond or securities of the United States of America, bonds of any state in the United States, or any bonds lawfully issued by municipalities in the United States; not exceeding thirty per cent (30 per cent) of the money deemed available for investment may be invested in corporate stocks and bonds; not exceeding thirty per cent (30 per cent) of the money deemed available for investment may be invested in real estate loans, secured by a first mortgage thereon. All income from investments shall be and become a part of the fund. All securities belonging to the fund shall be deposited with the treasurer of the fund or, in the event that a financial agent has been employed, may be held by the financial agent and shall be subject to the direction and control of the board of trustees."

Section 4. Effective Date.

This Act shall become effective on and after the 1st day of October, 1961.

PROOF OF PUBLICATION

STATE OF ALABAMA
TUSCALOOSA COUNTY

I hereby certify that the attached notice was published in the Tuscaloosa News once a week for 4 consecutive weeks; viz, June 30, July 7, 14, 21, 1961.

WALLACE LEE,
Legal Clerk.

Subscribed and sworn to before me on this the 24th day of July, 1961.

LILLA COLLINS,
Notary Public.

Also:

By Mr. deGraffenried:

S. 513. To alter the corporate limits of the City of Tuscaloosa, Alabama, and to rearrange and define the boundaries thereof.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF TUSCALOOSA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter the corporate limits of the City of Tuscaloosa, Alabama, and to rearrange and define the boundaries thereof.

Be It Enacted by the Legislature of Alabama:

Section 1: That the boundaries of the City of Tuscaloosa, in the County of Tuscaloosa, State of Alabama, be and the same are hereby altered and rearranged so as to include within the corporate limits of the said City all of the territory lying within the County of Tuscaloosa, included within the following described boundaries, namely:

As a point of beginning start at the Northeast corner of Lot 29, Block 7, of the Lynn Haven Survey, a plat of said survey being recorded in Plat Book 5, at Page 173, in the Probate Office of Tuscaloosa County, Alabama; thence Northwardly along the prolongation of the East boundary of said Lot 29 to a point on the North boundary and Northwest boundary of the Old Birmingham Highway (Alabama State Highway No. 116); thence Eastwardly and Northeastwardly along the North boundary of said Alabama State Highway No. 116 to an intersection with the South boundary of Section 14, Township 21 South, Range 9 West; thence Eastwardly along the South boundary of said Section 14 to the Southeast corner of said Section 14; thence Northwardly along the East boundary of said Section 14 to the Northeast corner of the Southeast Quarter of said Section 14; thence Westwardly along the North boundary of the South Half of said Section 14 to the Northwest corner of the Southwest Quarter of the said Section 14; thence continue Westwardly along the North boundary of the Northeast Quarter of the Southeast Quarter of Section 15, Township 21 South, Range 9 West to an intersection with the center of Hurricane Creek; thence Southwardly along the meanderings of the center line of said Hurricane Creek to its second intersection with the West boundary of the Southwest Quarter of the Southeast Quarter of said section 15; thence continue Southwardly along the West boundary of the Southwest Quarter of the Southeast Quarter to the Southwest corner of said Southwest Quarter of the Southeast Quarter; thence Westwardly along the North boundary of the Northeast Quarter of the Northwest Quarter of Section 22, Township 21 South, Range 9 West to the Northwest corner of said Northeast Quarter of the Northwest Quarter; thence Southwardly along the West boundary of said Northeast Quarter of the Northwest Quarter and the West boundary of the Southeast Quarter of the Northwest Quarter of said Section 22 to a point that is 200.0 feet North of the Southwest corner of said Southeast Quarter of the Northwest Quarter; thence Eastwardly and parallel to the South boundary

of said Southeast Quarter of the Northwest Quarter for a distance of 100.0 feet to a point; thence Southwardly and parallel to the West boundary of said Southeast Quarter of the Northwest Quarter for a distance of 200.0 feet to a point on the South boundary of said Southeast Quarter of the Northwest Quarter; thence Eastwardly along the South boundary of said Southeast Quarter of the Northwest Quarter for a distance of 524.5 feet to a point; thence South 3 degrees 23 minutes East for a distance of 639.5 feet, more or less, to a point that is 5.0 feet North of the North boundary of the right-of-way of the Old Birmingham Highway (Alabama State Highway No. 116); thence Westwardly, parallel to, and 5.0 feet North of the North boundary of the right-of-way of said Alabama State Highway No. 116 to a point that is on the prolongation Northwardly of the West boundary of Lot 29, Block 7, of the Lynn Haven Survey; thence Southwardly and along the prolongation of the West boundary of said Lot 29 to the Northwest corner of said Lot 29; thence Eastwardly along the North boundary of said Lot 29 to the Northeast corner of said Lot 29, which is the point of beginning of the property herein described.

Section 2: That all laws and parts of law, general, special and local, in conflict with this Act be and the same are hereby repealed.

Section 3: That this Act shall go into effect immediately upon its approval by the Governor.

PROOF OF PUBLICATION

STATE OF ALABAMA TUSCALOOSA COUNTY

I hereby certify that the attached notice was published in Graphic, a newspaper published in and having a general circulation in the City and County of Tuscaloosa, Alabama, once a week for four consecutive weeks; viz June 22, June 29, July 6, and July 13, 1961.

BETTY PEARY,
Legal Clerk.

Subscribed and sworn to before me on this the 13th day of July, 1961.

KARL S. ELEBASH, JR.,
Notary Public.

Also:

By Mr. deGraffenried:

S. 514. To alter the corporate limits of the City of Tuscaloosa, Alabama, and to rearrange and define the boundaries thereof.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF TUSCALOOSA

Notice is hereby given that a bill substantially as follows will be

introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter the corporate limits of the City of Tuscaloosa, Alabama, and to rearrange and define the boundaries thereof.

Be It Enacted by the Legislature of Alabama:

Section 1: That the boundaries of the City of Tuscaloosa, in the County of Tuscaloosa, State of Alabama, be and the same are hereby altered and rearranged so as to include within the corporate limits of the said City all of the territory lying within the County of Tuscaloosa, included within the following described boundaries, namely:

As a point of beginning start at the Northwest corner of the Southeast Quarter of the Southeast Quarter of Section 21, Township 21 South, Range 9 West, which point is on the present city limits of the City of Tuscaloosa, Alabama; thence Southwardly along the West boundary of said Southeast Quarter of the Southeast Quarter to the Northeast corner of the South Half of the Southwest Quarter of the Southeast Quarter of said Section 21; thence Westwardly along the North boundary of said South Half of the Southwest quarter of the Southeast Quarter to an intersection with the Northeast boundary of U. S. Highway No. 11 (Business Route); thence Southeastwardly along the Northeast boundary of said U. S. Highway No. 11 to an intersection with the East boundary of Lot 4, Block "A", of the Avalon Park Survey, a plat of which is recorded in Plat Book 5 at Page 182, in the Probate Office of Tuscaloosa County, Alabama; thence Northwardly along the East boundary of said Lot 4, Block "A", Avalon Park to the Northeast corner of said Lot 4; thence Eastwardly and along the South boundary of the Lynn Haven Survey, a plat of which is recorded in **Plat Book at Page 173, in the Probate Office of Tuscaloosa County, Alabama**, to the Southeast corner of said Lynn Haven Survey; thence Northwardly along the East boundary of said Lynn Haven Survey to the South boundary of the Old Birmingham Highway; thence Westwardly (or slightly Southwestwardly) along the South boundary of the Old Birmingham Highway to the Northeast corner of Lot 7, Block 1, of said Lynn Haven; thence Northwestwardly to the Southeast corner of Lot 5, Block 8, Lynn Haven; thence continue Northwestwardly along the Northeast boundary of said Lot 5, which is also the Southwest boundary of Timbrook Road, to an intersection with the North boundary of the Southeast Quarter of the Southeast Quarter of said Section 21; thence Westwardly along the North boundary of said Southeast Quarter of the Southeast Quarter to the Northwest corner of said Southeast Quarter of the Southeast Quarter, which is the point of beginning.

Section 2: That all laws and parts of law, general, special and local in conflict with this Act be and the same are hereby repealed.

Section 3: That this Act shall go into effect immediately upon its approval by the Governor.

PROOF OF PUBLICATION

STATE OF ALABAMA
TUSCALOOSA COUNTY

I hereby certify that the attached notice was published in Graphic, a newspaper published in and having a general circulation in the City and County of Tuscaloosa, Alabama, once a week for four consecutive weeks; viz June 8, June 15, June 22, and June 29, 1961.

BETTY PEARY,
Legal Clerk.

Subscribed and sworn to before me on this the 17th day of July, 1961.

KARL S. ELEBASH, JR.,
Notary Public.

Also:

By Mr. Dumas:

S. 518. To provide for the disposition, in all counties of this State which, according to the 1960 federal census, or any subsequent federal census, have a population of 500,000 or more of all fines, forfeitures and costs which hereafter may be paid by any person or persons convicted in any court of competent jurisdiction in such counties of violations of the rules and regulations promulgated by the state highway department concerning the operation of motor vehicles upon the highways of this State, and of violations of the Alabama highway laws, where the persons thus convicted have been arrested by the sheriff, or his deputies, or by any other county or municipal law enforcement officer, qualified to make such arrests in such counties.

Also:

By Mr. Dumas:

S. 519. To amend Act No. 529, H. 898, of the Regular Session of 1953, which relates to authority of the county board of education in counties of certain populations.

Also:

By Mr. Dumas:

S. 520. To amend Act No. 530, H. 897, of the Regular Session of 1953, which relates to the authority of the city board of education in counties of certain populations.

Also:

By Mr. Robison:

S. 511. To provide further for selection of textbooks for use in junior and senior high schools in counties having populations of not less than 150,000 nor more than 300,000; amending Section 12 of Act No. 412, S. 261, Regular Session 1945.

Also:

By Mr. Caffey:

S. 528. To amend Act No. 366, H. 73, Regular Session 1959, an act relating to the selecting of juries and alternate jurors in criminal cases in the circuit courts of counties having populations of not less than 200,000 nor more than 400,000 (Acts of Alabama 1959, vol. 2, p. 955).

Also:

By Mr. Wyatt:

S. 508. To alter or rearrange the boundary lines of the City of Pell City, St. Clair County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits, and also certain other territory in St. Clair County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

AN ACT

To alter or rearrange the boundary lines of the City of Pell City, St. Clair County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits, and also certain other territory in St. Clair County, Alabama.

Be It Enacted by the Legislature of Alabama:

SECTION I

That the boundary lines of the City of Pell City, St. Clair County, Alabama, be and the same are altered or rearranged so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in St. Clair County, Alabama, described as follows:

The Southwest quarter of the Northwest Quarter, Section 31, Township 16, Range 4 East, St. Clair County, Alabama.

SECTION II

That the boundaries as set out in Section I of this Act, be and the same are hereby established as the corporate limits of the City of Pell City, St. Clair County, Alabama, and all territory now within the corporate limits of said City together with those lands embraced in said boundaries described above shall hereafter be and constitute the City of Pell City, St. Clair County, Alabama.

SECTION III

This Act shall go into effect immediately upon the passage and approval of the Governor.

PROOF OF PUBLICATION

STATE OF ALABAMA
ST. CLAIR COUNTY

On this 24th day of July, 1961, personally appeared before me Ethel Blair, Notary Public, in and for the County and State aforesaid, E. R. Blair, who being duly sworn according to Law, declares that he is Publisher of the "St. Clair News-Aegis," a newspaper published in the city of Pell City, in the County of St. Clair, State of Alabama, and that the advertisement, a true copy of which is herewith attached, appeared in the "St. Clair News-Aegis" on the following dates: 6-29, 7-6, 13 & 20, 1961.

Signed E. R. BLAIR.

Subscribed and sworn to before me, this 24th day of July, A.D., 1961.

ETHEL BLAIR,
Notary Public.

Also:

By Messrs. Caffey and deGraffenried:

S. 537. To repeal Act No. 187, S. 339, approved June 29, 1951, as amended, creating a firemen and policemen's pension and relief fund in cities having a population of not less than 45,000 nor more than 54,000 inhabitants according to the preliminary count as of April 1, 1951 of the latest federal census or which shall have such population according to any such census that may be taken hereafter, (Acts of Alabama 1950-51, p. 438).

Also:

By Messrs. Caffey and deGraffenried:

S. 538. To repeal Act No. 509, S. 570, approved August 22, 1951, entitled "An Act Relating to cities having a population of not less than 35,000 nor more than 55,000 inhabitants; authorizing such cities to levy and collect privilege license taxes on the sale of malt or brewed beverages within their police jurisdiction at the same rate as such taxes are levied within their corporate limits," (Acts of Alabama 1950-51, p. 900).

Also:

By Messrs. Caffey and deGraffenried:

S. 539. To repeal Act No. 384, S. 286, approved November 6, 1959, entitled "An Act relating to municipalities having a population of not less than 40,000 nor more than 50,000, according to the last or any subsequent federal decennial census; providing optional forms of government which may be adopted by such municipalities; and providing the method by which any such municipality may adopt such an optional form of municipal government," (Acts of Alabama 1959, vol. 2, p. 999).

Also:

By Mr. deGraffenried:

S. 540. Relating to municipalities having a population of not less

than 60,000 nor more than 70,000, according to the 1960 or any subsequent federal decennial census; providing optional forms of government which may be adopted by such municipalities; and providing the method by which any such municipality may adopt such an optional form of municipal government.

Also:

By Mr. Gaither:

S. 533. Proposing an amendment to the Constitution of Alabama relative to levying special school taxes in Clay County.

Also:

By Mr. deGraffenried:

S. 552. To confer upon the circuit solicitor and other solicitors in all counties having a population of not less than 100,000 nor more than 115,000 inhabitants according to the last or any subsequent federal decennial census the power to take oaths in support of complaints and to issue warrants in all criminal cases in such counties.

Also:

By Mr. Jones:

S. 536. To amend further Section 211 of Title 29, Code of Alabama 1940, which relates to the officers who may issue search warrants under the law regulating the possession, sale, and distribution of intoxicating liquors and alcoholic beverages.

Also:

By Mr. Graham:

S. 331. To provide for designating State Highway 143 as "Confederate Road."

Also:

By Mr. Rutledge:

S. 551. To amend further Act No. 539, S. 253, approved July 23, 1931, providing for a board of education for Winston County (Local Acts of Alabama 1931, p. 257) so as to provide further for the manner of election of such board; to prescribe their term of office; and to provide for selection of a chairman of the board.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF WINSTON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Act No. 539, S. 253, approved July 23, 1931, providing for a board of education for Winston County (Local Acts of Alabama 1931, p. 257) so as to provide further for the manner of election of such board; to prescribe their term of office and to provide for selection of a chairman of the board.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 539, S. 253, approved July 23, 1931, an act providing for a board of education for Winston County (Local Acts of Alabama 1931, p. 257), is hereby amended to read as follows:

"Section 1. There is hereby created and established a board of education for Winston County to be composed of five members. One member shall be elected from, be a qualified elector of, and reside in each of the five high school attendance areas heretofore established by the Winston County board of education as follows: Area 1 is composed of all of Beat 2, Sections 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 33, 34, 35, 36, of Township 10 South, Range 10 West, in Beat 10; and Section 18 of Township 9 South, Range 9 West, in Beat 11. Area 2 is composed of Beat 3 less Sections 13, 14, 15, 22, 23, 25, 26 of Township 11 South, Range 9 West; Sections 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 22 of Township 11 South, Range 10 West in Beat 10; and Sections 31, 32, Township 10 South, Range 10 West, in Beat 10. Area 3 is composed of all of Beat 1; all of Beat 4; Beat 11, less Section 18 of Township 9 South, Range 9 West; Sections 13, 14, 15, 22, 23, 25, 26 of Township 11 South, Range 9 West in Beat 3; and Sections 17, 18, 19, 20, 21, 29, 30 of Township 10 South, Range 7 West, in Beat 6. Area 4 is composed of Beat 7 less Sections 28, 29, 30, 31, 32, 33 of Township 10 South, Range 6 West; all of Beat 8; Sections 21, 22, 23, 24, Township 10 South, Range 6 West, in Beat 9; and Beat 6 less Sections 17, 18, 19, 20, 21, 29, 30 of Township 10 South, in Range 7 West. Area 5 is composed of all of Beat 5; Beat 9 less Sections 21, 22, 23, 24 of Township 10 South, Range 6 West; and Sections 28, 29, 30, 31, 32, 33 of Township 10 South, Range 6 West in Beat 7. The members of said board shall be elected in the general election in 1962. They shall take office on the first Monday after the second Tuesday in January after their election. Two of the members elected in 1962 shall serve for two years and three of the members so elected shall serve for four years. Members of the board shall draw lots to determine who shall serve the two year terms. Successors to those members selected for two years shall be elected in the general election of 1964 for a four year term. Thereafter all members of the board shall serve for a term of four years. The board of education shall select from among its members a president who shall serve as president for two years and who shall be entitled to vote as any other member of the board."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA
WINSTON COUNTY

Personally appeared before me the undersigned authority in and for

said county and state, Jay Thornton, who after being duly sworn deposes and says:

My name is Jay Thornton. I am editor and publisher of The Advertiser, a newspaper of general circulation, published weekly in Haleyville, Winston County, Alabama. The copy of publication hereto attached was published in said paper for four consecutive weeks, the first copy of said notice appearing in the issue of said paper published on the 20th day of June, 1961, and the last copy of said publication appearing in the said paper on the 11th day of July, 1961.

JAY THORNTON.

Sworn and subscribed to before me this 31st day of July, 1961.

R. J. THORNTON,
Notary Public.

Also:

By Mr. Rutledge:

S. 549. To provide for the relief of John M. Ward of Winston County; authorizing and directing the board of revenue, court of county commissioners, or other like governing body of Winston County to compensate John M. Ward for damages sustained when his truck was involved in a collision with a county vehicle.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF WINSTON

NOTICE is hereby given that a Bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To provide for the relief of John M. Ward of Winston County; authorizing and directing the board of revenue, court of county commissioners, or other like governing body of Winston County to compensate John M. Ward for damages sustained when his truck was involved in a collision with a county vehicle.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of revenue, court of county commissioners, or other like governing body of Winston County is hereby authorized and directed to pay to the heirs of John M. Ward, of Winston County, from any funds in the county treasury and otherwise appropriated, the sum of Six Hundred Seventy-Three Dollars and Twenty Cents (\$673.20), to compensate

him for property damages sustained when his truck was involved in a collision with a vehicle owned by the county, which collision, occurred under such circumstances that the county is obligated to pay such damages though not legally liable therefor.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA,
WINSTON COUNTY

Personally appeared before me the undersigned authority in and for said county and state, Jay Thornton, who after being duly sworn deposes and says:

My name is Jay Thornton. I am editor and publisher of The Advertiser, a newspaper of general circulation, published weekly in Haleyville, Winston County, Alabama. The copy of publication hereto attached was published in said paper for four consecutive weeks, the first copy of said notice appearing in the issue of said paper published on the 20th day of June, 1961, and the last copy of said publication appearing in the said paper on the 11th day of July, 1961.

JAY THORNTON.

Sworn and subscribed to before me this 31st day of July, 1961.

R. J. THORNTON,
Notary Public.

Also:

By Mr. Rutledge:

S. 550. To provide for the relief of John Lockhart of Winston County; authorizing and directing the board of revenue, court of county commissioners, or other like governing body of Winston County to compensate John Lockhart for personal injuries and other damages sustained by him in connection with a collision in which a county vehicle was involved.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF WINSTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for the relief of John Lockhart of Winston County, authorizing and directing the board of revenue, court of county commissioners, or other like governing body of Winston County to compensate John Lockhart for personal injuries and other damages sustained by him in connection with a collision in which a county vehicle was involved.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of revenue, court of county commissioners, or other like governing body of Winston County is hereby authorized and directed to pay to John Lockhart of Winston County the sum of Eleven Hundred Twenty-Seven Dollars and Sixty-eight Cents (\$1,127.68) from any funds in the county treasury and otherwise appropriated as compensation for personal injuries and other damages sustained by him as the result of an accident in which a county vehicle was involved. The Legislature finds that the circumstances surrounding the accident were such that the said John Lockhart has an equitable and just claim against Winston County but no recourse at law to recover his damages.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA,
WINSTON COUNTY

Personally appeared before me the undersigned authority in and for said county and state, Jay Thornton, who after being duly sworn deposes and says:

My name is Jay Thornton. I am editor and publisher of The Advertiser, a newspaper of general circulation, published weekly in Haleyville, Winston County, Alabama. The copy of publication hereto attached was published in said paper for four consecutive weeks, the first copy of said notice appearing in the issue of said paper published on the 20th day of June, 1961, and the last copy of said publication appearing in the said paper on the 11th day of July, 1961.

JAY THORNTON.

Sworn and subscribed to before me this 31st day of July, 1961.

R. J. THORNTON,
Notary Public.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and fore-

going Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 515. Local Legislation No. 1.

S. 516. Local Legislation No. 1.

S. 517. Local Legislation No. 1.

S. 512. Local Legislation No. 1.

S. 513. Local Legislation No. 1.

S. 514. Local Legislation No. 1.

S. 518. Local Legislation No. 2.

S. 519. Local Legislation No. 2.

S. 520. Local Legislation No. 2.

S. 511. Local Legislation No. 1.

S. 528. Local Legislation No. 1.

S. 508. Local Legislation No. 1.

S. 537. Local Legislation No. 1.

S. 538. Local Legislation No. 1.

S. 539. Local Legislation No. 1.

S. 540. Local Legislation No. 1.

S. 533. Was read a first time at length as required by the Constitution, and referred to the Standing Committee on Local Legislation No. 1.

S. 552. Local Legislation No. 1.

S. 536. Local Legislation No. 1.

S. 331. Transportation.

S. 551. Local Legislation No. 1.

S. 549. Local Legislation No. 1.

S. 550. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 510. For the relief of Luther C. Gilbert, granting him a release of any state claim to the mineral in certain lands situated in Tuscaloosa County.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 803. To repeal Act No. 302, H. 833, Regular Session 1955, entitled "An Act to authorize all cities or towns in the State of Alabama having a population of 6500 and not more than 6900 according to the last or any subsequent Federal census to provide for the designation of the members of the governing body of all such cities; to provide that in all general elections for the election of members of the governing body in such cities, each such position shall be filled and shall be designated separately and shall appear separately on all ballots in such election; to provide that each candidate for election in such election shall designate the position to which he is seeking election; to provide that a certificate of election shall only be given to the candidate who receives a majority of the votes cast for his office; to provide that if no candidate receives a majority of the votes for any office of such cities a new election shall be held at which election the two candidates receiving the highest number of votes in the first election for such office shall run, and that the candidate receiving the highest number of votes in the run-off election shall be elected; to provide the manner in which either of the candidates receiving the highest number of votes in an election in which no candidate receives a majority of the votes cast shall decline to run for said office; to provide that the governing body of such cities shall decide the successful candidate in the event of a tie vote in a run-off election; to provide that except as otherwise provided all elections held under the terms of this act shall be held in accordance with the general municipal election laws of the State of Alabama pertaining to the Mayor-Council form of government; and to provide that all laws or parts of laws in conflict with this act are repealed," (Acts of Alabama 1955, vol. I, pp. 699-702).

Also:

H. 989. To provide further for the operation and maintenance of public high schools and public elementary schools in Bullock County.

Also:

H. 1034. To provide for appointment of an additional deputy sheriff of Dale County and for payment of his compensation.

Also:

H. 1035. To provide for the compensation of the county or deputy solicitor of Dale County.

Also:

H. 1042. Relating to Bullock County; prescribing the times when county offices may be closed.

Also:

H. 1045. To provide for establishment and operation of a medical clinic in the municipality of Hurtsboro, Russell County.

Also:

H. 1046. To provide for the relief of George W. Dean by Montgomery County.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Messrs. Robison, deGraffenried, Crawford, Moses, Rutledge, Archer, Turner, Haltom, Word, Clark, Golson and Cooper:

S. 156. To make additional appropriations to the state institutions for the mentally ill and the mentally deficient for the two fiscal years ending September 30, 1962 and September 30, 1963, such appropriations to be paid from the Alabama Special Mental Health Fund.

Also:

By Messrs. Robison, deGraffenried, Clark, Crawford, Moses, Rutledge, Archer, Turner, Haltom, Word and Cooper:

S. 162. To make additional appropriations to the Board of Trustees of the University of Alabama, for mental health purposes, including payment of salaries of professional and related personnel in the Department of Psychiatry of the Medical College of Alabama, operation of the outpatient Mental Health Clinic of said college, and hospitalization of medically indigent mental patients in University Hospital and Hillman Clinics, and to make additional appropriations to the State Department of Public Health for mental health purposes, including establishment and operation of mental hygiene clinics and training and research in the field of mental health.

Also:

By Messrs. Kendall, Graham and Green:

S. 300. To amend Title 22, Section 199, Code of Alabama 1940, as amended, which relates to care and treatment of tubercular patients.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 156. Ways and Means.

S. 162. Ways and Means.

S. 300. Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 745. To further preserve the peace.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Shelton:

S. 529. To propose an amendment to the Constitution of Alabama authorizing certain funds derived from the school taxes levied in Calhoun County pursuant to the provisions of that certain amendment to the Constitution proposed by Act No. 587 enacted at the 1947 Regular Session of the Legislature of Alabama to be used for public school purposes generally; authorizing the refunding of any bonds now outstanding or hereafter issued under the provisions of said amendment or of the amendment proposed hereby; authorizing the issuance of bonds for the combined purposes of so refunding any such bonds and acquiring, constructing and improving public school buildings; providing that any bonds issued under said amendment or under the amendment proposed hereby shall be negotiable instruments and legal investments for trust funds; and providing that bonds may be issued under the amendment proposed hereby without a further election and without being chargeable to the constitutional debt limit of the issuing political subdivision.

Also:

By Mr. Givhan:

S. 278. For the relief of Donald M. Ward; to make an appropriation to reimburse Donald M. Ward for sums expended for medical care and treatment on account of, and to compensate for personal injuries suffered by him while acting within the line and scope of his employment with the State Highway Department.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 529. Was read a first time at length as required by the Constitution, and referred to the Standing Committee on Local Legislation No. 1.

S. 278. Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 926. For the relief of C. F. Simmons, former sheriff of Jackson County, Alabama, to authorize the said C. F. Simmons to re-register existing claims against the Jackson County Fine and Forfeiture Fund.

Also:

H. 968. To propose an amendment to the Constitution relating to the levy and collection of special property taxes for educational purposes in the territory subject to the jurisdiction and control of the City Board of Education of Tuscaloosa and in the territory of Tuscaloosa County.

Also:

H. 1029. To repeal Act No. 37, H. 32, approved February 19, 1959, entitled, "An Act relating to counties which have a population of not less than 49,500 nor more than 54,000 inhabitants, according to the last or any subsequent federal decennial census, and which have a county or inferior court on which has been conferred jurisdiction concurrent with the circuit in equity and civil matters; providing for the compensation of the court reporter of the county court of such counties" (Acts of Alabama 1959, vol. I, p. 75).

Also:

H. 1030. To repeal Act No. 446, H. 935, approved November 13, 1959, entitled, "An Act to provide for the compensation of the deputies or clerks of the tax assessors and tax collectors of all counties having a population of not less than 47,000 nor more than 51,000, according to the most recent federal decennial census" (Acts of Alabama 1959, vol. II, p. 1140).

Also:

H. 1006. For the relief of Donnie C. Watts, Box 55, Blanche, Tennessee; authorizing the board of county commissioners, board of revenue, or other like governing body of Madison County to make an appropriation of county funds to compensate Donnie C. Watts for certain damages.

H. 1007. Relating to Madison County; authorizing the county governing body to offer rewards for information leading to the arrest and conviction of any person, firm or corporation violating any law prohibiting the dumping of garbage, litter or trash.

Also:

H. 905. To regulate the compensation of deputies to the sheriff in all counties having populations of not less than 45,575 nor more than 46,500, according to the 1960 or any subsequent federal decennial census.

Also:

H. 997. To repeal Act No. 48, H. 62, approved April 8, 1955, entitled, "An Act to apply in all counties having a population of not less than 47,500 nor more than 52,500, according to the last or any subsequent federal decennial census; regulating further the office of county solicitor in such counties; imposing extra, new, and additional duties upon such officer, and providing further for his compensation," (Acts of Alabama 1955, vol. I, p. 158).

Also:

H. 998. To repeal Act No. 165, H. 30, approved June 29, 1951, entitled, "An Act to provide additional clerks for the tax assessor and the tax collector in all counties having a population of not less than 47,000 nor more than 51,000 according to the most recent federal census, making the Act retroactive" (Acts of Alabama 1951, vol. 1, p. 403).

Also:

H. 999. To repeal Act No. 446, H. 935, approved November 13, 1959, entitled, "An Act to provide for the compensation of the deputies or clerks of the tax assessors and tax collectors of all counties having a population of not less than 47,000 nor more than 51,000, according to the most recent federal decennial census" (Acts of Alabama 1959, vol. II, p. 1140).

Also:

H. 1000. To repeal Act No. 47, H. 61, approved April 8, 1955, entitled, "An Act to apply in all counties having a population of not less than 47,500 nor more than 52,500 inhabitants, according to the last or any subsequent federal decennial census; providing for the appointment of a deputy clerk of the circuit court of such counties; prescribing the duties, powers, and authority of such deputy, fixing his compensation and designating the method of payment and the fund from which such compensation shall be paid" (Acts of Alabama 1955, vol. I, p. 157).

Also:

H. 1025. To provide that in each county of the State of Alabama having not less than 150,000 nor more than 300,000 population according to the last or any subsequent federal census in equity suits the depositions of witnesses or parties upon oral examination for discovery or for use as evidence may be taken as provided in Act No. 375 of the Legislature of Alabama of 1955, approved September 8, 1955 (Acts of Alabama of 1955, page 901 et seq.); to provide that in each such county in equity suits the scope of the examination, the use of such depositions, the effect of using such depositions, the method of compelling the attendance of the person sought to be examined and the penalties for the failure of such person to appear for such examination, shall be the same as provided for by said Act No. 375 of the Legislature of Alabama of 1955; to provide that the provisions of this Act shall apply to future suits and pending suits in any such county and also to depositions heretofore taken in pending suits, provided the party or parties taking such depositions in taking the same proceeded under said Act No. 375 of the Legislature of Alabama of 1955; and to provide that the provisions of any law or rule of court in conflict with the provisions of this Act shall be repealed to the extent of such conflict.

Also:

H. 948. Proposing an amendment to the Constitution of Alabama relating to industrial development of Lawrence County and municipalities therein.

Also:

H. 1009. To permit banks now or hereafter having a combined paid-in capital and paid-in or earned surplus of more than one million dollars and situated in counties having populations according to the 1960 or any subsequent decennial census of the United States of not less than 100,000 inhabitants nor more than 160,000 inhabitants, to establish, maintain, or operate new branches or branch banks, branch offices, branch agencies, additional offices or branch places of business within the limits of such county in which said bank is situated, for the receipt of deposits, payment of checks, lending of money, and the conduct of a general banking and trust business, by and with the written consent of the State Superintendent of Banks.

Also:

H. 931. To fix the compensation of the county superintendent of education in all counties having a population of not more than 14,350 nor less than 13,650, according to the 1960 or any subsequent federal decennial census.

Also:

H. 930. To prescribe the salary and manner of payment thereof of certain deputies sheriff in all counties having populations of not less than 13,650 nor more than 14,350 according to the 1960 or any subsequent federal decennial census.

Also:

H. 574. To regulate further the duties and compensation of members of the court of county commissioners, board of revenue or like governing body of all counties having a population of not less than 13,700 nor more than 14,300, according to the 1960 or any subsequent federal decennial census.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 911. To repeal Act No. 263, H. 387, approved August 16, 1957, entitled, "An Act to provide further for the operation of the county boards of equalization of all counties having a population of not less than 31,500 nor more than 35,000 inhabitants, according to the last or any subsequent federal decennial census; prescribing the compensation and expense allowance of the members of such boards, providing for the payment thereof" (Acts of Alabama 1957, vol. I, p. 338).

Also:

H. 943. To propose a constitutional amendment relative to levying additional taxes in Baldwin County for public school purposes.

Also:

H. 965. To provide additional revenue for educational purposes in Monroe County; authorizing the court of county commissioners, board of revenue, or like county governing body, to levy, when approved at a referendum election, special county privilege license and excise taxes paralleling, at lower rates, state sales and use taxes as provided for in Act No. 100, H. 94, approved August 18, 1959, and in Article 11 of Chapter 20, Title 51, Code of Alabama 1940, as heretofore amended and supplemented; providing for collection and enforcement of such taxes by the state department of revenue.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 566. To alter, re-arrange and extend the boundaries of the municipality of Geneva, in Geneva County.

Also:

H. 739. To regulate the compensation and allowances of members of the board of education of Dale County and provide for payment thereof.

J. E. SPEIGHT,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 3. To appropriate from any funds in the State Treasury to the credit of the General Fund the sum of \$75,000, in addition to any appropriation heretofore made, for the purpose of completing construction and equipment of a building at Auburn, Alabama for the State Toxicologist, and to further provide for such construction.

And finds same correctly enrolled.

VIRGIS M. ASHWORTH,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately

after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 566. To alter, re-arrange and extend the boundaries of the municipality of Geneva, in Geneva County.

Also:

H. 739. To regulate the compensation and allowances of members of the board of education of Dale County and provide for payment thereof.

And finds same correctly enrolled.

VIRGIS M. ASHWORTH,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 911. To repeal Act No. 263, H. 387, approved August 16, 1957, entitled, "An Act to provide further for the operation of the county boards of equalization of all counties having a population of not less than 31,500 nor more than 35,000 inhabitants, according to the last or any subsequent federal decennial census; prescribing the compensation and expense allowance of the members of such boards, providing for the payment thereof" (Acts of Alabama 1957, vol. I, p. 338).

Also:

H. 965. To provide additional revenue for educational purposes in Monroe County; authorizing the court of county commissioners, board of revenue, or like county governing body, to levy, when approved at a referendum election, special county privilege license and excise taxes paralleling,

at lower rates, state sales and use taxes as provided for in Act No. 100, H. 94, approved August 18, 1959, and in Article 11 of Chapter 20, Title 51, Code of Alabama 1940, as heretofore amended and supplemented; providing for collection and enforcement of such taxes by the state department of revenue.

Also:

H. 943. To propose a constitutional amendment relative to levying additional taxes in Baldwin County for public school purposes.

And finds same correctly enrolled.

VIRGIS M. ASHWORTH,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing reported of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 574. To regulate further the duties and compensation of members of the court of county commissioners, board of revenue or like governing body of all counties having a population of not less than 13,700 nor more than 14,300, according to the 1960 or any subsequent federal decennial census.

Also:

H. 905. To regulate the compensation of deputies to the sheriff in all counties having populations of not less than 45,575 nor more than 46,500, according to the 1960 or any subsequent federal decennial census.

Also:

H. 926. For the relief of C. F. Simmons, former Sheriff of Jackson County, Alabama, to authorize the said C. F. Simmons to re-register existing claims against the Jackson County fine and forfeiture fund.

Also:

H. 930. To prescribe the salary and manner of payment thereof of certain deputies sheriff in all counties having populations of not less than 13,650 nor more than 14,350 according to the 1960 or any subsequent federal decennial census.

Also:

H. 931. To fix the compensation of the county superintendent of education in all counties having a population of not more than 14,350 nor less than 13,650, according to the 1960 or any subsequent federal decennial census.

Also:

H. 997. To repeal Act No. 48, H. 62, approved April 8, 1955, entitled, "An Act to apply in all counties having a population of not less than 47,500 nor more than 52,500, according to the last or any subsequent federal decennial census; regulating further the office of county solicitor in such counties; imposing extra, new, and additional duties upon such officer, and providing further for his compensation," (Acts of Alabama 1955, vol. I, p. 158).

Also:

H. 998. To repeal Act No. 165, H. 30, approved June 29, 1951, entitled, "An Act to provide additional clerks for the tax assessor and the tax collector in all counties having a population of not less than 47,000 nor more than 51,000 according to the most recent federal census, making the Act retroactive" (Acts of Alabama 1951, vol. 1, p. 403).

Also:

H. 999. To repeal Act No. 446, H. 935, approved November 13, 1959, entitled, "An Act to provide for the compensation of the deputies or clerks of the tax assessors and tax collectors of all counties having a population of not less than 47,000 nor more than 51,000, according to the most recent federal decennial census" (Acts of Alabama 1959, vol. II, p. 1140).

Also:

H. 1000. To repeal Act No. 47, H. 61, approved April 8, 1955, entitled, "An Act to apply in all counties having a population of not less than 47,500 nor more than 52,500 inhabitants, according to the last or any subsequent federal decennial census; providing for the appointment of a deputy clerk of the circuit court of such counties; prescribing the duties, powers, and authority of such deputy, fixing his compensation and designating the method of payment and the fund from which such compensation shall be paid" (Acts of Alabama 1955, vol. I, p. 157).

Also:

H. 1007. Relating to Madison County; authorizing the county governing body to offer rewards for information leading to the arrest and conviction of any person, firm or corporation violating any law prohibiting the dumping of garbage, litter or trash.

Also:

H. 1009. To permit banks now or hereafter having a combined paid-in capital and paid-in or earned surplus of more than one million dollars and situated in counties having populations according to the 1960 or any subsequent decennial census of the United States of not less than 100,000 inhabitants nor more than 160,000 inhabitants, to establish, maintain, or operate new branches or branch banks, branch offices, branch agencies, additional

offices or branch places of business within the limits of such county in which said bank is situated, for the receipt of deposits, payment of checks, lending of money, and the conduct of a general banking and trust business, by and with the written consent of the State Superintendent of Banks.

Also:

H. 1025. To provide that in each county of the State of Alabama having not less than 150,000 nor more than 300,000 population according to the last or any subsequent federal census in equity suits the depositions of witnesses or parties upon oral examination for discovery or for use as evidence may be taken as provided in Act No. 375 of the Legislature of Alabama of 1955, approved September 8, 1955 (Acts of Alabama of 1955, page 901 et seq.); to provide that in each such county in equity suits the scope of the examination, the use of such depositions, the effect of using such depositions, the method of compelling the attendance of the person sought to be examined and the penalties for the failure of such person to appear for such examination, shall be the same as provided for by said Act No. 375 of the Legislature of Alabama of 1955; to provide that the provisions of this Act shall apply to future suits and pending suits in any such county and also to depositions heretofore taken in pending suits, provided the party or parties taking such depositions in taking the same proceeded under said Act No. 375 of the Legislature of Alabama of 1955; and to provide that the provisions of any law or rule of court in conflict with the provisions of this Act shall be repealed to the extent of such conflict.

Also:

H. 1029. To repeal Act No. 37, H. 32, approved February 19, 1959, entitled, "An Act relating to counties which have a population of not less than 49,500 nor more than 54,000 inhabitants, according to the last or any subsequent federal decennial census, and which have a county or inferior court on which has been conferred jurisdiction concurrent with the circuit in equity and civil matters; providing for the compensation of the court reporter of the county court of such counties" (Acts of Alabama 1959, vol. I, p. 75).

Also:

H. 1006. For the relief of Donnie C. Watts, Box 55, Blanche, Tennessee; authorizing the board of county commissioners, board of revenue, or other like governing body of Madison County to make an appropriation of county funds to compensate Donnie C. Watts for certain damages.

Also:

H. 1030. To repeal Act No. 446, H. 935, approved November 13, 1959, entitled, "An Act to provide for the compensation of the deputies or clerks of the tax assessors and tax collectors of all counties having a population of not less than 47,000 nor more than 51,000, according to the most recent federal decennial census" (Acts of Alabama 1959, vol. II, p. 1140).

Also:

H. 948. Proposing an amendment to the Constitution of Alabama relating to industrial development of Lawrence County and municipalities therein.

Also:

H. 968. To propose an amendment to the Constitution relating to the

levy and collection of special property taxes for educational purposes in the territory subject to the jurisdiction and control of the City Board of Education of Tuscaloosa and in the territory of Tuscaloosa County.

And finds same correctly enrolled.

VIRGIS M. ASHWORTH,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 745. To further preserve the peace.

And finds same correctly enrolled.

VIRGIS M. ASHWORTH,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

JOURNAL FOR THE NINETEENTH LEGISLATIVE DAY APPROVED

On motion of Mr. Pruitt, reading of the Journal of the House for the nineteenth legislative day was dispensed with, and the report of the Standing Committee on Rules set out in the Journal of the House on the twenty-second legislative day was concurred in and adopted, and the Journal of the House for the nineteenth legislative day was approved.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has

carefully examined the Journal of the House for the twentieth legislative day and finds the same to be correct.

VIRGIS M. ASHWORTH,
Chairman.

On motion of Mr. Pruitt, the reading at length of the Journal of the House for the twentieth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the twentieth legislative day was approved.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twenty-first legislative day and finds the same to be correct.

VIRGIS M. ASHWORTH,
Chairman.

On motion of Mr. Pruitt, the reading at length of the Journal of the House for the twenty-first legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the twenty-first legislative day was approved.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twenty-second legislative day and finds the same to be correct.

VIRGIS M. ASHWORTH,
Chairman.

On motion of Mr. Pruitt, the reading at length of the Journal of the House for the twenty-second legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the twenty-second legislative day was approved.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twenty-third legislative day and finds the same to be correct.

VIRGIS M. ASHWORTH,
Chairman.

On motion of Mr. Pruitt, the reading at length of the Journal of the House for the twenty-third legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the twenty-third legislative day was approved.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twenty-fourth legislative day and finds the same to be correct.

VIRGIS M. ASHWORTH,
Chairman.

On motion of Mr. Pruitt, the reading at length of the Journal of the House for the twenty-fourth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the twenty-fourth legislative day was approved.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twenty-fifth legislative day and finds the same to be correct.

VIRGIS M. ASHWORTH,
Chairman.

The motion of Mr. Pruitt to suspend the rules in order to dispense with the reading at length of the Journal of the House for the twenty-fifth legislative day was lost.

Yeas 45; Nays 17.

Yeas:

Mr. Speaker	Ferguson	Johnson (Hardaway)	Phillips
Bailey	Franklin	Johnston (Leonard)	Pierce
Bassett	Gilmer	Jones (Covington)	Powell
Boyd	Gordon	Lee	Pruitt
Cabiness	Grouby	Long (Lauderdale)	Ray
Callahan	Guthrie	McCorquodale	Roberts
Camp	Hain	McLendon (Bullock)	Sessions
Cates	Hanby	Meade	Shumate
Copeland	Hankins	Merrill	Smith (St. Clair)
Cornett	Hardy	Nettles	Steagall
Daniel	Ingram	Oakley	Torbert
Dunn			

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Nays:

Messrs.	Dodd	Locke	Self
Barnett	Engel	Long (Perry)	Solomon
Branyon	Grant	Martin	Speaks
Brewer	Gross	Murphy	Turner
Broadfoot	Jones (Covington)		

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MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Pruitt to suspend the rules in order to allow the Standing Committees to report was adopted.

BILLS ON SECOND READING

Mr. Smith (Russell), Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House without recommendation, and they were severally read a second time and placed on the Calendar, to-wit:

H. 620. (without recommendation). Proposing an amendment to the Constitution relative to the rate of income taxes on the net incomes of corporations.

The above bill was read a second time at length as required by the Constitution.

H. 621. (without recommendation). Relating to taxation; amending Section 398 of Title 51, Code of Alabama 1940, in relation to the rate of the state corporation income tax.

H. 758. (without recommendation). To provide revenue by imposing an excise tax, payable by manufacturers and bottlers of bottled soft drinks, and syrups prepared, used, sold, transported or delivered within the State and by others; requiring persons engaged in the manufacture, bottling, distribution, sale and transportation of syrup and bottled soft drinks to secure permits; prescribing the method and manner of evidencing the payment and collection of such tax or assessing the tax; conferring powers and imposing duties on the Department of Revenue and those manufacturing, bottling, distributing, selling and transporting syrup or bottled soft drinks and providing penalties.

H. 1018. (without recommendation). To validate certain elections held since February 24, 1959, under any constitutional amendment or the provisions of Article 6 or 7 of Chapter 10, Title 52, Code of Alabama, 1940, or under any other law, for the purpose of authorizing a special tax for school purposes.

H. 1304. (without recommendation). To levy an excise tax on the transportation or furnishing of natural gas by or through pipe lines maintained in this state; to provide for the collection thereof by the state department of revenue; and to appropriate the proceeds thereof.

H. 1233. (without recommendation). To propose an amendment to the Constitution providing for the levy and collection of an additional property tax for educational purposes in each county of the State.

The above bill was read a second time at length as required by the Constitution.

H. 1227. (without recommendation). To raise additional revenue for educational purposes; amending Act No. 101, H. 56, Second Special Session 1959, so as to increase the rate of the tax on cigarettes by two cents a pack.

H. 175. (without recommendation). To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing the State Board of Education, whenever the Governor orders a proration

against the minimum program fund, to sell and issue its interest bearing notes to raise funds with which to pay the deficiency in the state appropriations for the minimum program fund resulting from such proration and on which the approved budgets of the city and county school systems for the same fiscal year were based; to provide that the principal of and interest on such notes shall be payable solely from the minimum program fund appropriation for the fiscal year next following that in which such proration was ordered; to authorize the State Board of Education to pledge so much of the minimum program fund appropriation out of which such notes are made payable as may be necessary to pay such principal and interest; and to provide that such notes and the interest thereon shall be free from taxation and shall constitute negotiable instruments.

The above bill was read a second time at length as required by the Constitution.

H. 86. (without recommendation). To amend further Code of Alabama 1940, Title 51, Section 16, which provides for a property tax relief fund in the state treasury.

H. 87. (without recommendation). Proposing an amendment to the Constitution of Alabama relative to the use of the proceeds of state income taxes.

The above bill was read a second time at length as required by the Constitution.

H. 735. (without recommendation). To provide additional funds for educational purposes; authorizing and directing the Alabama Education Authority to issue and sell bonds, the proceeds of which shall be divided equally among the 67 county boards of education for expenditure for educational purposes during the fiscal year ending September 30, 1962.

H. 736. (without recommendation). To appropriate \$1,675,000 of any balance remaining in the general fund of the state treasury at the close of the fiscal year ending September 30, 1961, for equal division among the 67 county boards of education.

H. 1217. (without recommendation). To provide additional funds for educational purposes; making an appropriation from the general fund in the state treasury to the Alabama Special Educational Trust Fund for the fiscal year ending September 30, 1961.

H. 882. (without recommendation). To provide for transfer to the Alabama Special Educational Trust Fund of the surplus in the general fund at the close of the fiscal year ending September 30, 1961.

H. 1206. (without recommendation). To provide for transferring from the general fund in the state treasury to the Alabama Special Educational Trust Fund certain specified amounts at the close of each of the fiscal years ending September 30, 1961 and September 30, 1962.

H. 1197. (without recommendation). To provide for transfer to the Alabama Special Educational Trust Fund of the surplus in the general fund at the close of the fiscal year ending September 30, 1961.

H. 1207. (without recommendation). To provide for a transfer of \$1,610,003.37 from the general fund in the state treasury to the Alabama Special Educational Trust Fund.

Mr. Smith (Russell), Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1146. To authorize the cities and towns of this state to provide for the establishment and operation of public medical clinics, and to authorize the lease or rental of all or any part of such clinics for use by doctors or dentists connected with the operation of such clinics.

H. 1118. To appropriate the sum of three hundred thirty-four dollars and twenty-four cents (\$334.24) out of the Seafood Division Fund in addition to all other appropriations heretofore made for the purpose of paying items of expense and equipment purchases listed herein incurred prior to October 1, 1958.

S. 402. For the relief of Henry Phillips.

Mr. Smith (Russell), Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 1319. (with amendment). Relating to the levy of additional taxes for certain purposes in all counties having a population of 50,000 or less inhabitants according to the 1960 or any subsequent federal decennial census; authorizing the court of county commissioners, board of revenue, or other like governing body of such counties to levy, when approved at a referendum election, special county privilege license and excise taxes paralleling state sales and use taxes as provided for in Act No. 100, H. 94, approved August 18, 1959, and Article 11 of Chapter 20, Title 51, Code of Alabama 1940, as heretofore amended and supplemented; providing for collection and enforcement of such taxes by the state department of revenue.

Mr. Smith (Russell), Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 1195. (with substitute). To make appropriations to the Cahaba Historical Commission and provide for the use thereof.

Mr. Smith (Russell), Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 376. For the relief of Martin McCrory.

H. 1100. To appropriate public funds for the relief of Sheffield Truck & Tractor, Incorporated.

H. 1101. To provide for the relief of Marengo Concrete Products Co., Inc., making an appropriation of highway department funds for that purpose.

H. 660. To create a solicitor's fund in the ninth judicial circuit of Alabama; to provide for the appropriation of moneys to said fund from solicitors' fees taxed and collected in all criminal cases in all courts in the ninth judicial circuit; and to authorize expenditures of said fund by the circuit solicitor for law enforcement and the discharge of the duties of his office.

H. 1292. To amend Section 348, Title 51, Code of Alabama, 1940, and to repeal all laws and parts of laws, general or special, in conflict herewith.

H. 1015. To exempt from the computation of the taxes levied by Section 2 (a) of the Act of the Legislature of Alabama approved August 18, 1959, the gross proceeds received from the sale or furnishing of food, soft drinks, tobacco products, stationery and all other similar and or related articles by the Hospital Canteens operated by Alabama State Hospitals at Bryce Hospital and Partlow State School for Mental Deficients at Tuscaloosa, Alabama and Searcy Hospital at Mt. Vernon, Alabama, for the benefit of the patients therein.

H. 1135. To require all boats licensed under any license required for engaging in the seafoods industry to display two license tags on said boat; providing a penalty for violation of the provisions of this Act; and granting the Director of Conservation rule-making power to implement the provisions of this Act.

H. 1137. To amend Section 1 of Act No. 49, General Acts of Alabama 1947, approved July 1, 1947, as amended by Act No. 931, General Acts of Alabama 1951, Vol. 2, page 1599, approved September 12, 1951, entitled "An Act To amend Act No. 49, General Acts of Alabama 1947, approved July 1, 1947" which pertains to shrimp caught for commercial purposes.

H. 1140. To amend further an Act approved August 15, 1947 (Act No. 322, H. 97, General Acts 1947, p. 211) relating to permits and licenses for taking or catching live shrimp for use or sale as bait.

H. 1133. To amend Section 144, Title 8, Code of Alabama 1940, which relates to a license for hauling raw oysters or raw shrimp by motor vehicle for commercial purposes.

H. 298. To provide supernumerary circuit court reporters for the State of Alabama; prescribing their duties; setting up their requirements and qualifications; fixing their compensation; status and tenure of office; and making an appropriation to pay their salaries:

Mr. Gilchrist, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills

and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 840. An Act providing for the recovery of damages from the parents of minors under eighteen years of age for willful or malicious destruction of property; limiting the amount to Five Hundred and No/100 Dollars (\$500.00), but not limiting the liability of parents as the same may otherwise exist.

H. 1108. To provide for jury service by women; amending Sections 20 and 21 of Title 30, Code of Alabama 1940.

H. 1122. Requiring Communists, Nazis and Muslims and known members of Communist-front organizations to register with the department of public safety, and prescribing penalties.

H. 1298. To make it unlawful for two or more persons to inveigle, entice, or take a person from his home or place of business with the intent of physically injuring such person by violence, and whip, flog, beat, or in any way assault such person; and to prescribe the penalties.

H. 1309. Providing for the operation, as a part of the Medical College of Alabama and of University Hospital, and under the designation University Psychiatric Unit, of that certain hospital unit for the care and treatment of the mentally ill and the training of medical students in the field of mental illness; for the construction and equipment of which bonds were authorized to be issued by that certain amendment known as Amendment CXLI which was proposed by Act No. 310 adopted at the 1959 Regular Session of the Legislature of Alabama; providing that the chairman of the Department of Psychiatry of the Medical College of Alabama shall act as Psychiatrist in Chief providing for the office of Director of the said unit; providing that the said unit shall be under the management, ownership, and control of the Board of Trustees of the University of Alabama; providing that the said board shall have full power to establish policies and rules as to the admission and discharge of patients of said unit, subject to the requirement that such policies and rules shall be consistent with the laws of this state and shall include a directive that certain guiding principles as to the admission of patients be taken into consideration, to the extent deemed feasible by the Director of the said unit; and requiring the Director of the said unit to notify all Judges of Probate in the state when it has been completed and placed in operation.

H. 1209. Providing for the use of chemical tests for the determination of intoxication whenever any person is arrested in the state and is charged with driving a vehicle while under the influence of intoxicating liquor; providing that specified percentages of alcohol in the blood shall raise prima facie presumptions with reference to the influence of intoxicating liquors; and providing for the revocation of the privilege of driving motor vehicles upon the refusal of an arrested person to submit to chemical testing.

Mr. Oden, Chairman of the Standing Committee on Business and Labor, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 862. To provide for the safety of life, limb and property, and to

create a board of boiler rules to serve without salary and to formulate and promulgate rules and regulations for the safe construction, installation, inspection and repair of boilers; to provide for the enforcement of the rules and regulations promulgated by the board of boiler rules; to provide for the examination and appointment of boiler inspectors; to provide for the inspection of boilers, the fees to be charged therefor, and the reports to be made thereof; to provide for inspection certificates; to provide for appeals; to provide an appropriation to carry out the provisions of the act; and to provide a penalty for the violation of the provisions of this act.

Mr. Perry, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1255. To alter and re-arrange the boundary lines of the City of Mountain Brook, Alabama so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Jefferson County, Alabama, contiguous to said City.

H. 1256. To alter or rearrange the boundary lines of the City of Tarrant City, Alabama so as to include within the corporate limits of said City territory not already included therein.

H. 1257. To provide for and submit to the qualified electors of the State of Alabama an amendment to the Constitution of said State providing that the City of Mountain Brook, Jefferson County, shall have, in addition to the power to levy and collect ad valorem tax each year at the rate authorized immediately prior to the adoption of this amendment, the further power to levy and collect each year an additional tax of one-fourth of one per centum based upon the value of the property therein as fixed for state taxation, such additional tax to be levied only when authorized by the qualified electors of said City at an election called for such purpose, the adoption of such amendment not to affect, limit, modify, abridge, or impair the power of such City to levy and collect any special school taxes now vested or hereafter conferred upon it under the Constitution, or any amendment thereto.

The above bill was read a second time at length as required by the Constitution.

H. 1258. To apply in, and only in, counties having a population of 500,000 or more inhabitants, according to the last or any subsequent federal census, wherein the use of voting machines has been or shall be authorized; to provide for the time and manner of commencing contest in any district, municipal, county, state or federal election, whether a general, special or primary election, in any such county; to provide for the length of time the seal of each voting machine shall remain unbroken subsequent to its use in any election; to provide the date upon which this act shall become effective.

H. 1259. To amend and extend the corporate limits of the city of Mountain Brook in Jefferson County, Alabama.

H. 1260. To alter or rearrange the boundary lines of the Town of Fultondale, Alabama so as to include within the corporate limits of said Town territory not already included therein.

H. 1261. To alter, rearrange and extend the boundaries of the City of Lipscomb, Alabama, so as to include within the corporate limits thereof certain additional territory in Sections 25, 26 and 36, Township 18 South, Range 4 West, Jefferson County, Alabama:

H. 1316. For the relief of Richard R. Andrews and to authorize and direct the City of Birmingham, Alabama, to pay on behalf of the said Richard R. Andrews, an amount not to exceed One Thousand Two Hundred Fifty Dollars (\$1250.00) for medical services, including hospital charges rendered to the said Richard R. Andrews for an operation necessitated by injuries received by Richard R. Andrews while acting within the line and scope of his employment as a police officer for the City of Birmingham.

H. 1317. To fix the compensation of election officers in all general, special, municipal and primary elections held in counties which now have, or which may hereafter have, a population in excess of 500,000 according to the last or any subsequent Federal decennial census; to provide for election workers in elections held to extend the boundary lines of any city or town within such counties and to prescribe their duties; and to provide that this act shall be supplemental to Act No. 694 of Acts of the 1957 Regular Session.

H. 1318. To provide for an appeal to the Circuit Court, or court of like jurisdiction, from any final judgment or decision of a Zoning Board of Adjustment establishment under Act Number 528 of the 1959 Regular Session of the Legislature of Alabama (Acts of Alabama 1959, page 1302), applicable to any city which may now or hereafter have a population of three hundred thousand inhabitants or more according to the last or any subsequent federal census.

BILLS ON THIRD READING

H. 1072. To repeal Act No. 281, H. 559, approved August 11, 1947, entitled "To confer on the Probate Courts in all counties of this State, which now have or may hereafter have a population of over 140,000 and less than 400,000, according to the last or any subsequent Federal census, general equity jurisdiction, concurrent with that of the Circuit Courts, in Equity, of this State in the administration of the estates of deceased persons, minors and insane persons, including testamentary trust estates; and to confer on the judges of such Probate Courts the same powers and authority which Judges and Registers of the Circuit Courts of this State now have in connection with the administration of such estates in the Circuit Courts, in Equity; to provide for the pleading, practice and procedure in such matters, and for the enforcement of judgments and decrees and for appeals to the Supreme Court from the orders, judgments and decrees of such courts; and to provide for the compensation of the judges of such courts, including the assessment and collection of fees, commissions and cost of court for the performance of the duties authorized by this act. (Acts of Alabama 1947, page 140).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 61; Nays 0.

Yeas:

Mr. Speaker	Edwards	Johnson (Hardaway)	Powell
Bailey	Engel	Johnston (Leonard)	Pruitt
Barnett	Gilchrist	Jones (Covington)	Ray
Bassett	Gilmer	Lee	Roberts
Boyd	Gordon	Locke	Self
Branyon	Grant	Long (Perry)	Sessions
Brewer	Gross	McCorquodale	Smith (Russell)
Broadfoot	Grouby	McLendon (Bullock)	Smith (St. Clair)
Cabiness	Guthrie	Meade	Speaks
Casey	Hain	Murphy	Steagall
Cates	Hanby	Nettles	Sullivan
Copeland	Hankins	Oakley	Taylor
Cornett	Hardy	Oden	Thomas
Daniel	Harris	Phillips	Torbert
Dodd	Ingram	Pierce	Turnham
Dunn			

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And the bill:

H. 1073. To confer on the Probate Courts in all counties of this State, which now have or may hereafter have a population of over 300,000 and less than 500,000, according to the last or any subsequent Federal census, general equity jurisdiction, concurrent with that of the Circuit Courts, in Equity, of this State in the administration of the estates of deceased persons, minors and insane persons, including testamentary trust estates; and to confer on the judges of such Probate Courts the same powers and authority which Judges and Registers of the Circuit Courts of this State now have in connection with the administration of such estates, in the Circuit Courts, in Equity; to provide for the pleading, practice and procedure in such matters, and for the enforcement of judgments and decrees and for appeals to the Supreme Court from the orders, judgments and decrees of such courts; and to provide for the compensation of the judges of such courts, including the assessment and collection of fees, commissions and cost of court for the performance of the duties authorized by this act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 59; Nays 0.

Yeas:

Mr. Speaker	Dunn	Ingram	Powell
Bailey	Edwards	Johnson (Hardaway)	Pruitt
Barnett	Engel	Johnston (Leonard)	Ray
Bassett	Gilchrist	Jones (Covington)	Roberts
Boyd	Gilmer	Locke	Self
Branyon	Gordon	Long (Perry)	Sessions
Brewer	Grant	McCorquodale	Smith (Russell)
Broadfoot	Gross	McLendon (Bullock)	Smith (St. Clair)
Cabiness	Grouby	Meade	Speaks
Casey	Guthrie	Murphy	Steagall
Cates	Hain	Nettles	Sullivan
Copeland	Hanby	Oakley	Taylor
Cornett	Hankins	Oden	Torbert
Daniel	Hardy	Phillips	Turnham
Dodd	Harris	Pierce	

—59

And the bill:

H. 1074. To prescribe the compensation of coroners in all counties having a population of not less than 300,000 nor more than 500,000, according to the last or any subsequent decennial Federal census, and the method of payment thereof; to provide an assistant for such coroners to be known as the Coroner's Physician, and to provide for his appointment, qualifications, compensation, allowances and method of payment thereof.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 59; Nays 0.

Yeas:

Mr. Speaker	Dunn	Ingram	Powell
Bailey	Edwards	Johnson (Hardaway)	Pruitt
Barnett	Engel	Johnston (Leonard)	Ray
Bassett	Gilchrist	Jones (Covington)	Roberts
Boyd	Gilmer	Locke	Self
Branyon	Gordon	Long (Perry)	Sessions
Brewer	Grant	McCorquodale	Smith (Russell)
Broadfoot	Gross	McLendon (Bullock)	Smith (St. Clair)
Cabiness	Grouby	Meade	Speaks
Casey	Guthrie	Murphy	Steagall
Cates	Hain	Nettles	Sullivan
Copeland	Hanby	Oakley	Taylor
Cornett	Hankins	Oden	Torbert
Daniel	Hardy	Phillips	Turnham
Dodd	Harris	Pierce	

—59

And the bill:

H. 1075. To repeal Act No. 563, S. 427, approved July 6, 1943 (Acts of 1942-1943, p. 561) and any and all other acts amendatory of said Act No. 563, which provides for an assistant for county coroner in all counties having a population of not less than 140,000 nor more than 300,000 according to the last or any subsequent federal census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 59; Nays 0.

Yeas:

Mr. Speaker	Copeland	Gross	Jones (Covington)
Bailey	Cornett	Grouby	Locke
Barnett	Daniel	Guthrie	Long (Perry)
Bassett	Dodd	Hain	McCorquodale
Boyd	Dunn	Hanby	McLendon (Bullock)
Branyon	Edwards	Hankins	Meade
Brewer	Engel	Hardy	Murphy
Broadfoot	Gilchrist	Harris	Nettles
Cabiness	Gilmer	Ingram	Oakley
Casey	Gordon	Johnson (Hardaway)	Oden
Cates	Grant	Johnston (Leonard)	Phillips

Pierce	Roberts	Smith (St. Clair)	Taylor
Powell	Self	Speaks	Torbert
Pruitt	Sessions	Steagall	Turnham
Ray	Smith (Russell)	Sullivan	

—59

And the bill:

H. 1076. To repeal Act No. 733, S. 543, approved September 20, 1957, (Acts of 1957, vol. II, p. 1153), which fixes the compensation of the coroner in all counties having a population of not less than 140,000 nor more than 300,000 according to the last or any subsequent federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 59; Nays 0.

Yeas:

Mr. Speaker	Dunn	Ingram	Powell
Bailey	Edwards	Johnson (Hardaway)	Pruitt
Barnett	Engel	Johnston (Leonard)	Ray
Bassett	Gilchrist	Jones (Covington)	Roberts
Boyd	Gilmer	Locke	Self
Branyon	Gordon	Long (Perry)	Sessions
Brewer	Grant	McCorquodale	Smith (Russell)
Broadfoot	Gross	McLendon (Bullock)	Smith (St. Clair)
Cabiness	Grouby	Meade	Speaks
Casey	Guthrie	Murphy	Steagall
Cates	Hain	Nettles	Sullivan
Copeland	Hanby	Oakley	Taylor
Cornett	Hankins	Oden	Torbert
Daniel	Hardy	Phillips	Turnham
Dodd	Harris	Pierce	

—59

H. 1077. To repeal Act No. 343, H. 540, approved June 30, 1943, an act relating to the issuance of building permits and applying in certain counties classified on a population basis (Gen. Acts 1943, p. 324).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 59; Nays 0.

Yeas:

Mr. Speaker	Dunn	Ingram	Powell
Bailey	Edwards	Johnson (Hardaway)	Pruitt
Barnett	Engel	Johnston (Leonard)	Ray
Bassett	Gilchrist	Jones (Covington)	Roberts
Boyd	Gilmer	Locke	Self
Branyon	Gordon	Long (Perry)	Sessions
Brewer	Grant	McCorquodale	Smith (Russell)
Broadfoot	Gross	McLendon (Bullock)	Smith (St. Clair)
Cabiness	Grouby	Meade	Speaks
Casey	Guthrie	Murphy	Steagall
Cates	Hain	Nettles	Sullivan
Copeland	Hanby	Oakley	Taylor
Cornett	Hankins	Oden	Torbert
Daniel	Hardy	Phillips	Turnham
Dodd	Harris	Pierce	

—59

And the bill:

H. 1163. To Amend Sections 4, 6, 8, 9, 23, 28, 29 and 33 of an Act entitled an Act "To Establish a Law and Equity Court for Lauderdale County, to define its jurisdiction and powers; to provide for trial tax and other fees; to provide that said court shall be open at all times for the trial of cases and transaction of business; prescribing rules and procedure for said court; to provide for an official court reporter for said court and fix his compensation, and to provide for the transfer of causes now or hereafter pending in the County and Circuit Court of Lauderdale County, Alabama, to the Law and Equity Court; to abolish the County Court of Lauderdale County, and the office of Deputy Solicitor for Lauderdale County," approved May 29, 1931, as amended by Act approved July 7, 1947, and as further amended by Act approved May 30, 1951.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 60; Nays 0.

Yeas:

Mr. Speaker	Dunn	Ingram	Pierce
Bailey	Edwards	Johnson (Hardaway)	Powell
Barnett	Engel	Johnston (Leonard)	Pruitt
Bassett	Gilchrist	Jones (Covington)	Ray
Boyd	Gilmer	Locke	Roberts
Branyon	Gordon	Long (Lauderdale)	Self
Brewer	Grant	Long (Perry)	Sessions
Broadfoot	Gross	McCorquodale	Smith (Russell)
Cabiness	Grouby	McLendon (Bullock)	Smith (St. Clair)
Casey	Guthrie	Meade	Speaks
Cates	Hain	Murphy	Steagall
Copeland	Hanby	Nettles	Sullivan
Cornett	Hankins	Oakley	Taylor
Daniel	Hardy	Oden	Torbert
Dodd	Harris	Phillips	Turnham

—60

And the bill:

H. 462. To Amend Act No. 111, H. 419, approved June 30, 1955 (Acts of Alabama, 1955, p. 356), entitled "An Act to fix the salary of the tax collector of Mobile County, and to regulate the payment thereof."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Cabiness	Engel	Guthrie
Bailey	Casey	Gilchrist	Hain
Barnett	Cates	Gilmer	Hanby
Bassett	Copeland	Goldthwaite	Hankins
Bevill	Cornett	Goodwyn	Hardy
Boyd	Daniel	Gordon	Harris
Branyon	Dodd	Grant	Ingram
Brewer	Dunn	Gross	Johnson (Hardaway)
Broadfoot	Edwards	Grouby	Johnston (Leonard)

Jones (Covington)	Merrill	Pruitt	Smith (St. Clair)
Lee	Murphy	Rast	Speaks
Locke	Nettles	Ray	Steagall
Long (Lauderdale)	Oakley	Roberts	Sullivan
Long (Perry)	Oden	Self	Taylor
McCorquodale	Phillips	Sessions	Thomas
McLendon (Bullock)	Pierce	Shumate	Torbert
Meade	Powell	Smith (Russell)	Turnham

—68

And the bill:

H. 1224. Proposing an amendment to the Constitution of Alabama relative to levying special school taxes in Clay County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Edwards	Johnson (Hardaway)	Powell
Bailey	Engel	Johnston (Leonard)	Pruitt
Barnett	Gilchrist	Jones (Covington)	Rast
Bassett	Gilmer	Lee	Ray
Bevill	Goldthwaite	Locke	Roberts
Boyd	Goodwyn	Long (Lauderdale)	Self
Branyon	Gordon	Long (Perry)	Sessions
Brewer	Grant	McCorquodale	Shumate
Broadfoot	Gross	McLendon (Bullock)	Smith (Russell)
Cabiness	Grouby	Meade	Smith (St. Clair)
Casey	Guthrie	Merrill	Speaks
Cates	Hain	Murphy	Steagall
Copeland	Hanby	Nettles	Sullivan
Cornett	Hankins	Oakley	Taylor
Daniel	Hardy	Oden	Thomas
Dodd	Harris	Phillips	Torbert
Dunn	Ingram	Pierce	Turnham

—68

And the bill:

H. 1230. To alter and re-arrange the boundaries of the town of Centreville, Bibb County, so as to annex certain territory to the town.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Branyon	Copeland	Engel
Bailey	Brewer	Cornett	Gilchrist
Barnett	Broadfoot	Daniel	Gilmer
Bassett	Cabiness	Dodd	Goldthwaite
Bevill	Casey	Dunn	Goodwyn
Boyd	Cates	Edwards	Gordon

Grant	Johnston (Leonard)	Nettles	Sessions
Gross	Jones (Covington)	Oakley	Shumate
Grouby	Lee	Oden	Smith (Russell)
Guthrie	Locke	Phillips	Smith (St. Clair)
Hain	Long (Lauderdale)	Pierce	Speaks
Hanby	Long (Perry)	Powell	Steagall
Hankins	McCorquodale	Pruitt	Sullivan
Hardy	McLendon (Bullock)	Rast	Taylor
Harris	Meade	Ray	Thomas
Ingram	Merrill	Roberts	Torbert
Johnson (Hardaway)	Murphy	Self	Turnham

—68

And the bill:

H. 1232. To alter, rearrange and extend the corporate limits of the Town of Oxford, Calhoun County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Edwards	Johnson (Hardaway)	Powell
Bailey	Engel	Johnston (Leonard)	Pruitt
Barnett	Gilchrist	Jones (Covington)	Rast
Bassett	Gilmer	Lee	Ray
Bevill	Goldthwaite	Locke	Roberts
Boyd	Goodwyn	Long (Lauderdale)	Self
Branyon	Gordon	Long (Perry)	Sessions
Brewer	Grant	McCorquodale	Shumate
Broadfoot	Gross	McLendon (Bullock)	Smith (Russell)
Cabiness	Grouby	Meade	Smith (St. Clair)
Casey	Guthrie	Merrill	Speaks
Cates	Hain	Murphy	Steagall
Copeland	Hanby	Nettles	Sullivan
Cornett	Hankins	Oakley	Taylor
Daniel	Hardy	Oden	Thomas
Dodd	Harris	Phillips	Torbert
Dunn	Ingram	Pierce	Turnham

—69

And the bill:

H. 1234. To provide an expense allowance to members of the court of county commissioners, board of revenue or like governing body of all counties having a population of not less than 25,500 nor more than 25,700 according to the 1960 or any subsequent federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Boyd	Casey	Dodd
Bailey	Branyon	Cates	Dunn
Barnett	Brewer	Copeland	Edwards
Bassett	Broadfoot	Cornett	Engel
Bevill	Cabiness	Daniel	Gilchrist

Gilmer	Harris	Merrill	Self
Goldthwaite	Ingram	Murphy	Sessions
Goodwyn	Johnson (Hardaway)	Nettles	Shumate
Gordon	Johnston (Leonard)	Oakley	Smith (Russell)
Grant	Jones (Covington)	Oden	Smith (St. Clair)
Gross	Lee	Phillips	Speaks
Grouby	Locke	Pierce	Steagall
Guthrie	Long (Lauderdale)	Powell	Sullivan
Hain	Long (Perry)	Pruitt	Taylor
Hanby	McCorquodale	Rast	Thomas
Hankins	McLendon (Bullock)	Ray	Torbert
Hardy	Meade	Roberts	Turnham

—68

And the bill:

H. 1241. To abolish the Cullman County Hospital Administration Board and create in lieu thereof the Cullman County Hospital Board to operate and maintain the hospital owned jointly by the County of Cullman and the City of Cullman; to provide for the appointment and prescribe the compensation and duties of members of the board; to provide for the election of a chairman of the board and prescribe his duties; to authorize the board to hire an administrator of the hospital and regulate his duties; to regulate the operation of the hospital; to authorize the City of Cullman and the County of Cullman, in the month following any month in which the hospital records show that the operating expenses of the hospital exceed its income, to make appropriations, within a prescribed limit, to cover the deficit.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Edwards	Johnson (Hardaway)	Powell
Bailey	Engel	Johnston (Leonard)	Pruitt
Barnett	Gilchrist	Jones (Covington)	Rast
Bassett	Gilmer	Lee	Ray
Bevill	Goldthwaite	Locke	Roberts
Boyd	Goodwyn	Long (Lauderdale)	Self
Branyon	Gordon	Long (Perry)	Sessions
Brewer	Grant	McCorquodale	Shumate
Broadfoot	Gross	McLendon (Bullock)	Smith (Russell)
Cabiness	Grouby	Meade	Smith (St. Clair)
Casey	Guthrie	Merrill	Speaks
Cates	Hain	Murphy	Steagall
Copeland	Hanby	Nettles	Sullivan
Cornett	Hankins	Oakley	Taylor
Daniel	Hardy	Oden	Thomas
Dodd	Harris	Phillips	Torbert
Dunn	Ingram	Pierce	Turnham

—68

And the bill:

H. 1243. To increase the number of trustees of Cahaba Historical Commission and fix their terms; amending Section 1 of Act No. 486, H. 765, approved July 9, 1943.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Edwards	Johnson (Hardaway)	Powell
Bailey	Engel	Johnston (Leonard)	Pruitt
Barnett	Gilchrist	Jones (Covington)	Rast
Bassett	Gilmer	Lee	Ray
Bevill	Goldthwaite	Locke	Roberts
Boyd	Goodwyn	Long (Lauderdale)	Self
Branyon	Gordon	Long (Perry)	Sessions
Brewer	Grant	McCorquodale	Shumate
Broadfoot	Gross	McLendon (Bullock)	Smith (Russell)
Cabiness	Grouby	Meade	Smith (St. Clair)
Casey	Guthrie	Merrill	Speaks
Cates	Hain	Murphy	Steagall
Copeland	Hanby	Nettles	Sullivan
Cornett	Hankins	Oakley	Taylor
Daniel	Hardy	Oden	Thomas
Dodd	Harris	Phillips	Torbert
Dunn	Ingram	Pierce	Turnham

—68

And the bill:

H. 1244. To amend further Section 211 of Title 29, Code of Alabama 1940, which relates to the officers who may issue search warrants under the law regulating the possession, sale, and distribution of intoxicating liquors and alcoholic beverages.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68, Nays 0.

Yeas:

Mr. Speaker	Edwards	Johnson (Hardaway)	Powell
Bailey	Engel	Johnston (Leonard)	Pruitt
Barnett	Gilchrist	Jones (Covington)	Rast
Bassett	Gilmer	Lee	Ray
Bevill	Goldthwaite	Locke	Roberts
Boyd	Goodwyn	Long (Lauderdale)	Self
Branyon	Gordon	Long (Perry)	Sessions
Brewer	Grant	McCorquodale	Shumate
Broadfoot	Gross	McLendon (Bullock)	Smith (Russell)
Cabiness	Grouby	Meade	Smith (St. Clair)
Casey	Guthrie	Merrill	Speaks
Cates	Hain	Murphy	Steagall
Copeland	Hanby	Nettles	Sullivan
Cornett	Hankins	Oakley	Taylor
Daniel	Hardy	Oden	Thomas
Dodd	Harris	Phillips	Torbert
Dunn	Ingram	Pierce	Turnham

—68

And the bill:

H. 1246. To provide a council-manager form of municipal government which, by popular vote, may be adopted and thereafter abandoned in the manner herein prescribed by any city which has a population of not less than 50,000 nor more than 70,000, according to the 1960 or any subsequent federal decennial census; to define the legal status and prescribe the form of government and powers of any city adopting this council-manager form of government; to provide as the governing body of any such city a city council having the powers, duties, and authority and composed of such number of members, elected for the terms, authorized to perform the duties and draw the compensation prescribed in this Act; to provide for the appointment and removal of a city manager and, under certain conditions, of a temporary city manager; to prescribe the city manager's powers and duties and the manner of fixing and paying his compensation; to regulate purchases and contracts of the city; to provide for the adoption of an annual budget for any such city and to require the submission and prescribe the contents of budget estimates; to provide for succession in government of any such city; to provide for the continued existence and functioning of certain independent boards and commissions in the manner prescribed therefor when this form of government is adopted by any such city; and to preserve certain rights and privileges of certain municipal employees under civil service and retirement systems of such city.

Was taken up.

Mr. Copeland offered the following amendment to the bill, H. 1246:

Amend H. B. 1246 by striking Section 2 therefrom and substituting in lieu thereof Section 2 which reads as follows:

"Section 2. When a petition, that has been circulated after the enactment of this bill, purporting to be signed by a number of qualified electors who reside in a city to which this Act applies equal to 25 per cent of the number of qualified electors who voted in the last general election held in such city, is presented to the probate judge of the county in which such city is located, asking that an election be held in such city for the purpose of submitting to the vote of the qualified electors thereof the question of adopting the council-manager form of municipal government, the probate judge shall examine the petition; and if he determines that it is signed by the requisite number of qualified electors of the city, he shall within 10 days thereafter certify this fact to the mayor, president of the board of commissioners, or other chief executive officer of such city. The certificate of the probate judge as to the sufficiency of the petition shall be conclusive. Such petition, when deposited with the probate judge, shall not be withdrawn, or used a second time."

And the amendment was adopted.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Boyd	Casey	Dodd
Bailey	Branyon	Cates	Dunn
Barnett	Brewer	Copeland	Edwards
Bassett	Broadfoot	Cornett	Engel
Bevill	Cabiness	Daniel	Gilchrist

Gilmer	Harris	Merrill	Self
Goldthwaite	Ingram	Murphy	Sessions
Goodwyn	Johnson (Hardaway)	Nettles	Shumate
Gordon	Johnston (Leonard)	Oakley	Smith (Russell)
Grant	Jones (Covington)	Oden	Smith (St. Clair)
Gross	Lee	Phillips	Speaks
Grouby	Locke	Pierce	Steagall
Guthrie	Long (Lauderdale)	Powell	Sullivan
Hain	Long (Perry)	Pruitt	Taylor
Hanby	McCorquodale	Rast	Thomas
Hankins	McLendon (Bullock)	Ray	Torbert
Hardy	Meade	Roberts	Turnham

—68

And said bill, H. 1246, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Edwards	Johnson (Hardaway)	Powell
Bailey	Engel	Johnston (Leonard)	Pruitt
Barnett	Gilchrist	Jones (Covington)	Rast
Bassett	Gilmer	Lee	Ray
Bevill	Goldthwaite	Locke	Roberts
Boyd	Goodwyn	Long (Lauderdale)	Self
Branyon	Gordon	Long (Perry)	Sessions
Brewer	Grant	McCorquodale	Shumate
Broadfoot	Gross	McLendon (Bullock)	Smith (Russell)
Cabiness	Grouby	Meade	Smith (St. Clair)
Casey	Guthrie	Merrill	Speaks
Cates	Hain	Murphy	Steagall
Copeland	Hanby	Nettles	Sullivan
Cornett	Hankins	Oakley	Taylor
Daniel	Hardy	Oden	Thomas
Dodd	Harris	Phillips	Torbert
Dunn	Ingram	Pierce	Turnham

—69

And the bill:

H. 1254. To amend further an act approved November 4, 1950 entitled "An Act To Create a Board of Revenue for Jackson County; providing its powers and duties and for compensation of its members; prescribing penalties for violations of this Act; and abolishing the Court of County Commissioners of Jackson County" (Acts of Alabama 1950-51, Vol. 1, p. 126).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Bevill	Broadfoot	Copeland
Bailey	Boyd	Cabiness	Cornett
Barnett	Branyon	Casey	Daniel
Bassett	Brewer	Cates	Dodd

Dunn	Hanby	McLendon (Bullock)	Roberts
Edwards	Hankins	Meade	Self
Engel	Hardy	Merrill	Sessions
Gilchrist	Harris	Murphy	Shumate
Gilmer	Ingram	Nettles	Smith (Russell)
Goldthwaite	Johnson (Hardaway)	Oakley	Smith (St. Clair)
Goodwyn	Johnston (Leonard)	Oden	Speaks
Gordon	Jones (Covington)	Phillips	Steagall
Grant	Lee	Pierce	Sullivan
Gross	Locke	Powell	Taylor
Grouby	Long (Lauderdale)	Pruitt	Thomas
Guthrie	Long (Perry)	Rast	Torbert
Hain	McCorquodale	Ray	Turnham

—68

And the bill:

H. 1267. To propose an amendment to the Constitution relative to the payment of pensions to certain former officers of Mobile County and the municipalities therein.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Edwards	Johnson (Hardaway)	Powell
Bailey	Engel	Johnston (Leonard)	Pruitt
Barnett	Gilchrist	Jones (Covington)	Rast
Bassett	Gilmer	Lee	Ray
Bevill	Goldthwaite	Locke	Roberts
Boyd	Goodwyn	Long (Lauderdale)	Self
Branyon	Gordon	Long (Perry)	Sessions
Brewer	Grant	McCorquodale	Shumate
Broadfoot	Gross	McLendon (Bullock)	Smith (Russell)
Cabiness	Grouby	Meade	Smith (St. Clair)
Casey	Guthrie	Merrill	Speaks
Cates	Hain	Murphy	Steagall
Copeland	Hanby	Nettles	Sullivan
Cornett	Hankins	Oakley	Taylor
Daniel	Hardy	Oden	Thomas
Dodd	Harris	Phillips	Torbert
Dunn	Ingram	Pierce	Turnham

—68

And the bill:

H. 1271. To repeal Act No. 384, S. 286, approved November 6, 1959, entitled "An Act Relating to municipalities having a population of not less than 40,000 nor more than 50,000, according to the last or any subsequent federal decennial census; providing optional forms of government which may be adopted by such municipalities; and providing the method by which any such municipality may adopt such an optional form of municipal government," (Acts of Alabama 1959, vol. 2, p. 999).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Edwards	Johnson (Hardaway)	Powell
Bailey	Engel	Johnston (Leonard)	Pruitt
Barnett	Gilchrist	Jones (Covington)	Rast
Bassett	Gilmer	Lee	Ray
Bevill	Goldthwaite	Locke	Roberts
Boyd	Goodwyn	Long (Lauderdale)	Self
Branyon	Gordon	Long (Perry)	Sessions
Brewer	Grant	McCorquodale	Shumate
Broadfoot	Gross	McLendon (Bullock)	Smith (Russell)
Cabiness	Grouby	Meade	Smith (St. Clair)
Casey	Guthrie	Merrill	Speaks
Cates	Hain	Murphy	Steagall
Copeland	Hanby	Nettles	Sullivan
Cornett	Hankins	Oakley	Taylor
Daniel	Hardy	Oden	Thomas
Dodd	Harris	Phillips	Torbert
Dunn	Ingram	Pierce	Turnham

—68

And the bill:

H. 1272. To repeal Act No. 509, S. 570, approved August 22, 1951, entitled "An Act Relating to cities having a population of not less than 35,000 nor more than 55,000 inhabitants; authorizing such cities to levy and collect privilege license taxes on the sale of malt or brewed beverages within their police jurisdictions at the same rate as such taxes are levied within their corporate limits," (Acts of Alabama 1950-51, p. 900).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Edwards	Johnson (Hardaway)	Powell
Bailey	Engel	Johnston (Leonard)	Pruitt
Barnett	Gilchrist	Jones (Covington)	Rast
Bassett	Gilmer	Lee	Ray
Bevill	Goldthwaite	Locke	Roberts
Boyd	Goodwyn	Long (Lauderdale)	Self
Branyon	Gordon	Long (Perry)	Sessions
Brewer	Grant	McCorquodale	Shumate
Broadfoot	Gross	McLendon (Bullock)	Smith (Russell)
Cabiness	Grouby	Meade	Smith (St. Clair)
Casey	Guthrie	Merrill	Speaks
Cates	Hain	Murphy	Steagall
Copeland	Hanby	Nettles	Sullivan
Cornett	Hankins	Oakley	Taylor
Daniel	Hardy	Oden	Thomas
Dodd	Harris	Phillips	Torbert
Dunn	Ingram	Pierce	Turnham

—68

And the bill:

H. 1273. To repeal Act No. 187, S. 339, approved June 29, 1951, as amended, creating a firemen and policemen's pension and relief fund in cities having a population of not less than 45,000 nor more than 54,000 inhabitants according to the preliminary count as of April 1, 1951 of the

latest federal census or which shall have such population according to any such census that may be taken hereafter, (Acts of Alabama 1950-51, p. 438).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Edwards	Johnson (Hardaway)	Powell
Bailey	Engel	Johnston (Leonard)	Pruitt
Barnett	Gilchrist	Jones (Covington)	Rast
Bassett	Gilmer	Lee	Ray
Bevill	Goldthwaite	Locke	Roberts
Boyd	Goodwyn	Long (Lauderdale)	Self
Branyon	Gordon	Long (Perry)	Sessions
Brewer	Grant	McCorquodale	Shumate
Broadfoot	Gross	McLendon (Bullock)	Smith (Russell)
Cabiness	Grouby	Meade	Smith (St. Clair)
Casey	Guthrie	Merrill	Speaks
Cates	Hain	Murphy	Steagall
Copeland	Hanby	Nettles	Sullivan
Cornett	Hankins	Oakley	Taylor
Daniel	Hardy	Oden	Thomas
Dodd	Harris	Phillips	Torbert
Dunn	Ingram	Pierce	Turnham

—68

And the bill:

H. 1275. To declare the public policy of the State with respect to violation of Section 420, Title 14, Code of Alabama (1940) as amended by an Act approved August 17, 1951, and as further amended by an Act approved July 24, 1953, in Counties in Alabama having a population of not less than 150,000, nor more than 250,000 inhabitants according to the last or any subsequent Federal decennial census; to determine and declare that prosecution and the impositions of criminal penalties is inadequate to prevent violations and that the remedy at law to enforce the same is inadequate in such Counties; to declare that habitual violations of the statute constitutes a legal nuisance in such Counties; to prevent unfair competition among merchants and shopkeepers by reason of violations of said statute as amended in such Counties; to provide for means and procedure and to prescribe evidentiary presumptions for the enforcement thereof by injunction and to confer jurisdiction for enforcement upon courts having equity jurisdiction in such Counties; to render the provisions of this Act severable; to declare the date on which the Act shall become effective.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Bassett	Branyon	Cabiness
Bailey	Bevill	Brewer	Casey
Barnett	Boyd	Broadfoot	Cates

Copeland	Grouby	Long (Perry)	Ray
Cornett	Guthrie	McCorquodale	Roberts
Daniel	Hain	McLendon (Bullock)	Self
Dodd	Hanby	Meade	Sessions
Dunn	Hankins	Merrill	Shumate
Edwards	Hardy	Murphy	Smith (Russell)
Engel	Harris	Nettles	Smith (St. Clair)
Gilchrist	Ingram	Oakley	Speaks
Gilmer	Johnson (Hardaway)	Oden	Steagall
Goldthwaite	Johnston (Leonard)	Phillips	Sullivan
Goodwyn	Jones (Covington)	Pierce	Taylor
Gordon	Lee	Powell	Thomas
Grant	Locke	Pruitt	Torbert
Gross	Long (Lauderdale)	Rast	Turnham

—68

And the bill:

H. 1289. To provide an allowance for expenses to the circuit solicitors of circuits composed of three counties having a combined population of more than 100,000.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Edwards	Johnson (Hardaway)	Powell
Bailey	Engel	Johnston (Leonard)	Pruitt
Barnett	Gilchrist	Jones (Covington)	Rast
Bassett	Gilmer	Lee	Ray
Bevill	Goldthwaite	Locke	Roberts
Boyd	Goodwyn	Long (Lauderdale)	Self
Branyon	Gordon	Long (Perry)	Sessions
Brewer	Grant	McCorquodale	Shumate
Broadfoot	Gross	McLendon (Bullock)	Smith (Russell)
Cabiness	Grouby	Meade	Smith (St. Clair)
Casey	Gullicie	Merrill	Speaks
Cates	Hain	Murphy	Steagall
Copeland	Hanby	Nettles	Sullivan
Cornett	Hankins	Oakley	Taylor
Daniel	Hardy	Oden	Thomas
Dodd	Harris	Phillips	Torbert
Dunn	Ingram	Pierce	Turnham

—68

And the bill:

H. 1295. To change the method of compensating certain officers of St. Clair County: Fixing the salaries of such officers, and providing for the clerical assistance, office space, equipment, and supplies necessary for the conduct of their offices.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Edwards	Johnson (Hardaway)	Powell
Bailey	Engel	Johnston (Leonard)	Pruitt
Barnett	Gilchrist	Jones (Covington)	Rast
Bassett	Gilmer	Lee	Ray
Bevill	Goldthwaite	Locke	Roberts
Boyd	Goodwyn	Long (Lauderdale)	Self
Branyon	Gordon	Long (Perry)	Sessions
Brewer	Grant	McCorquodale	Shumate
Broadfoot	Gross	McLendon (Bullock)	Smith (Russell)
Cabiness	Grouby	Meade	Smith (St. Clair)
Casey	Guthrie	Merrill	Speaks
Cates	Hain	Murphy	Steagall
Copeland	Hanby	Nettles	Sullivan
Cornett	Hankins	Oakley	Taylor
Daniel	Hardy	Oden	Thomas
Dodd	Harris	Phillips	Torbert
Dunn	Ingram	Pierce	Turnham

—68

And the bill:

H. 1296. To provide for and require the use of voting machines for registering, recording and computing the votes at all elections hereafter held in certain election precincts or beats in St. Clair County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Edwards	Johnson (Hardaway)	Powell
Bailey	Engel	Johnston (Leonard)	Pruitt
Barnett	Gilchrist	Jones (Covington)	Rast
Bassett	Gilmer	Lee	Ray
Bevill	Goldthwaite	Locke	Roberts
Boyd	Goodwyn	Long (Lauderdale)	Self
Branyon	Gordon	Long (Perry)	Sessions
Brewer	Grant	McCorquodale	Shumate
Broadfoot	Gross	McLendon (Bullock)	Smith (Russell)
Cabiness	Grouby	Meade	Smith (St. Clair)
Casey	Guthrie	Merrill	Speaks
Cates	Hain	Murphy	Steagall
Copeland	Hanby	Nettles	Sullivan
Cornett	Hankins	Oakley	Taylor
Daniel	Hardy	Oden	Thomas
Dodd	Harris	Phillips	Torbert
Dunn	Ingram	Pierce	Turnham

—68

And the bill:

H. 1297. To alter the corporate limits of the City of Tuscaloosa, and to rearrange and define the boundaries thereof.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Edwards	Johnson (Hardaway)	Powell
Bailey	Engel	Johnston (Leonard)	Pruitt
Barnett	Gilchrist	Jones (Covington)	Rast
Bassett	Gilmer	Lee	Ray
Bevill	Goldthwaite	Locke	Roberts
Boyd	Goodwyn	Long (Lauderdale)	Self
Branyon	Gordon	Long (Perry)	Sessions
Brewer	Grant	McCorquodale	Shumate
Broadfoot	Gross	McLendon (Bullock)	Smith (Russell)
Cabiness	Grouby	Meade	Smith (St. Clair)
Casey	Guthrie	Merrill	Speaks
Cates	Hain	Murphy	Steagall
Copeland	Hanby	Nettles	Sullivan
Cornett	Hankins	Oakley	Taylor
Daniel	Hardy	Oden	Thomas
Dodd	Harris	Phillips	Torbert
Dunn	Ingram	Pierce	Turnham

—68

And the bill:

H. 1299. Relating to Walker County; abolishing the county court of Walker County and establishing in lieu thereof the Walker County Law and Equity Court; defining the court's jurisdiction and powers; providing for its officers, and their powers, duties and compensation; providing for the holding of the terms and sessions of the court; providing for the rules and procedure of the court; and providing for the transfer of all cases pending in the county court of Walker County to the Walker County Law and Equity Court.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Edwards	Johnson (Hardaway)	Powell
Bailey	Engel	Johnston (Leonard)	Pruitt
Barnett	Gilchrist	Jones (Covington)	Rast
Bassett	Gilmer	Lee	Ray
Bevill	Goldthwaite	Locke	Roberts
Boyd	Goodwyn	Long (Lauderdale)	Self
Branyon	Gordon	Long (Perry)	Sessions
Brewer	Grant	McCorquodale	Shumate
Broadfoot	Gross	McLendon (Bullock)	Smith (Russell)
Cabiness	Grouby	Meade	Smith (St. Clair)
Casey	Guthrie	Merrill	Speaks
Cates	Hain	Murphy	Steagall
Copeland	Hanby	Nettles	Sullivan
Cornett	Hankins	Oakley	Taylor
Daniel	Hardy	Oden	Thomas
Dodd	Harris	Phillips	Torbert
Dunn	Ingram	Pierce	Turnham

—68

And the bill:

H. 1300. Proposing an amendment to the Constitution of Alabama relative to levying special school taxes in Walker County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Edwards	Johnson (Hardaway)	Powell
Bailey	Engel	Johnston (Leonard)	Pruitt
Barnett	Gilchrist	Jones (Covington)	Rast
Bassett	Gilmer	Lee	Ray
Bevill	Goldthwaite	Locke	Roberts
Boyd	Goodwyn	Long (Lauderdale)	Self
Branyon	Gordon	Long (Perry)	Sessions
Brewer	Grant	McCorquodale	Shumate
Broadfoot	Gross	McLendon (Bullock)	Smith (Russell)
Cabiness	Grouby	Meade	Smith (St. Clair)
Casey	Guthrie	Merrill	Speaks
Cates	Hain	Murphy	Steagall
Copeland	Hanby	Nettles	Sullivan
Cornett	Hankins	Oakley	Taylor
Daniel	Hardy	Oden	Thomas
Dodd	Harris	Phillips	Torbert
Dunn	Ingram	Pierce	Turnham

—68

And the bill:

S. 335. To authorize the court of county commissioners, board of revenue, or other like governing body of Madison County to provide additional funds to the probate judge for clerical help and assistance for the current year.

Was read a third time at length and passed.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Edwards	Johnson (Hardaway)	Powell
Bailey	Engel	Johnston (Leonard)	Pruitt
Barnett	Gilchrist	Jones (Covington)	Rast
Bassett	Gilmer	Lee	Ray
Bevill	Goldthwaite	Locke	Roberts
Boyd	Goodwyn	Long (Lauderdale)	Self
Branyon	Gordon	Long (Perry)	Sessions
Brewer	Grant	McCorquodale	Shumate
Broadfoot	Gross	McLendon (Bullock)	Smith (Russell)
Cabiness	Grouby	Meade	Smith (St. Clair)
Casey	Guthrie	Merrill	Speaks
Cates	Hain	Murphy	Steagall
Copeland	Hanby	Nettles	Sullivan
Cornett	Hankins	Oakley	Taylor
Daniel	Hardy	Oden	Thomas
Dodd	Harris	Phillips	Torbert
Dunn	Ingram	Pierce	Turnham

—68

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Cabiness to suspend the rules in order to have the call of counties for the introduction of bills was adopted.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. McLendon (Bullock) and Powell:

H. 1344. Proposing an amendment to the Constitution authorizing the court of county commissioners, board of revenue, or like governing body of Bullock County to levy additional license taxes.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Mr. Ingram (with notice and proof):

H. 1345. Providing a more efficient system for the administration of the fiscal affairs and government of Clay County; abolishing the Court of County Commissioners of Clay County and creating and establishing in lieu thereof the Board of Commissioners of Clay County; providing for the organization, powers, jurisdiction, and duties of the Board of Commissioners, and for the qualifications, election, and compensation of its members; and further regulating the county's purchasing procedures and highway operations.

Local Legislation No. 1.

Notice and Proof H. 1345:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF CLAY

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Providing a more efficient system for the administration of the fiscal affairs and government of Clay County; abolishing the Court of County Commissioners of Clay County and creating and establishing in lieu thereof the Board of Commissioners of Clay County; providing for the organization, powers, jurisdiction, and duties of the Board of Commissioners, and for the qualifications, election, and compensation of its members; and further regulating the county's purchasing procedures and highway operations.

Be It Enacted by the Legislature of Alabama:

Section 1. The Court of County Commissioners of Clay County is abolished, and in lieu thereof there is hereby created and established the Board of Commissioners of Clay County, which shall be composed of the judge of probate, as chairman, and four commissioners who shall be elected as hereinafter provided.

Section 2. As chairman of the Board, the judge of probate shall exercise all the powers and perform all the duties required of judges of probate by the general laws of this State as to matters coming before the court of county commissioners, board of revenue, or like county governing body. The judge of probate shall receive an annual salary of one thousand two hundred dollars (\$1,200), payable in equal monthly installments from the county treasury, as compensation for the performance of his duties as chairman of the Board.

Section 3. One commissioner shall be elected by the qualified electors of each of the districts into which the county is now divided by law for the purpose of electing members of the county governing body. Each commissioner must be a resident and qualified elector of the district from which he is elected, and shall continue to reside therein during his continuance in office. Commissioners from districts one and three, as such districts are now constituted, shall be elected at the general election to be held in 1960, and every four years thereafter. Commissioners from districts two and four shall be elected at the general election to be held in 1962, and every four years thereafter. The commissioners shall hold office for terms of four years from the first Monday after the second Tuesday in January next succeeding their election and until their successors are elected and qualified. In the event of a vacancy on the board, the vacancy shall be filled by appointment by the Governor for the unexpired term. The present members of the Court of County Commissioners shall serve as members of the Board of Commissioners until their successors are elected and qualified as provided in this Act.

Section 4. Except as otherwise provided herein, the Board of Commissioners provided for in this Act shall have and exercise all the jurisdiction and powers which are, or hereafter may be, vested in courts of county commissioners or like county governing bodies by the general laws of the State, or vested in the governing body of Clay County by local law; and the members of the board shall perform all the duties and services and exercise all the powers which are, or which hereafter may be, provided by law for members of courts of county commissioners or like county governing bodies, or for members of the Board of Commissioners of Clay County.

Section 5. Each commissioner shall receive an annual salary of three thousand dollars (\$3,000), which shall be his entire compensation for the services required of him by this Act. The salary of each commissioner shall be paid in equal monthly installments on warrants drawn on the funds of the county in accordance with the orders of the Board.

Section 6. The Board shall hold regular meetings on the second Monday of each month and may hold special meetings upon the call of the chairman or two commissioners. A majority of the members of the Board shall constitute a quorum for the transaction of business. The Board shall keep complete and accurate written minutes of all meetings, business transacted, and resolutions adopted; and there shall be recorded therein the vote of each member. At each meeting the minutes of the previous meeting

shall be read and all minutes shall be open to public inspection at reasonable times.

Section 7. Before entering upon the discharge of their duties the county commissioners shall each execute a bond in the sum of three thousand dollars (\$3,000). The bonds shall be payable to Clay County, with good and sufficient surety, and shall be conditioned upon the faithful discharge of their duties of office. The bonds shall be filed and recorded in the office of the judge of Probate of Clay County, and the premiums thereon shall be paid by the county.

Section 8. Subject to the supervision, regulation, and control of the Board of Commissioners of Clay County, and any rules and regulations which such body may promulgate from time to time in the exercise of its authority under this Act, the judge of probate, as chairman of the Board of Commissioners, shall function as purchasing agent for the county. He shall make all purchases or lease rentals of all materials, tools, machinery, motor vehicles, supplies, equipment, and contractual services (which term as used in this Act shall not include contracts for professional or other personal services) for the county, or any department, board, or officer thereof, including the county board of education.

Section 9. At least three written, sealed, competitive bids shall be obtained on all purchases of supplies, materials, tools, machinery, motor vehicles, equipment, and contractual services when the amount involved is two hundred dollars (\$200) or more. If the proposed purchase or contract involves an amount less than two hundred dollars (\$200), the purchase may be made either on the basis of sealed bids or in the open market. It shall be a violation of this section to divide or otherwise adjust the quantity of a purchase to an amount less than two hundred dollars (\$200) for the purpose of evading the requirements of this section. Invitations for bids shall be posted on a bulletin board located either immediately inside or outside the office of the probate judge, in the county courthouse, at least five days before the meeting of the Board at which the purchase is to be made. Such invitations, hereinafter called purchase notices, shall contain sufficient specifications to describe accurately the articles to be purchased as well as the quantity thereof. In addition to such notices, if the amount of the proposed contract is in excess of two hundred dollars (\$200), written notice by registered or certified mail, with written reply requested, shall be given to at least three merchants or dealers in the goods or materials to be purchased, or where notice is of a contract to be let, to at least three contractors engaged in the type work contemplated. A copy of such notice or notices, together with the return receipts showing their delivery, must be recorded in and shall become a part of the minutes of the Board of Commissioners.

Section 10. All bids received on proposed purchases or contracts shall be opened publicly at the time and place stated in the purchase notices. The contract or order shall be awarded to the lowest responsible bidder, and all bids may be rejected and the purchase or contract renegotiated when the public interest will be served thereby. It shall be the duty of the chairman of the Board of Commissioners to obtain information from the Division of Purchases and Stores of the State Department of Finance relative to the items to be purchased by competitive bids; and if the state prices are less than the lowest bid received, and if the delivery date is reasonable, all bids shall be rejected and the purchase shall be made through the State Purchasing Agent. All bids, with the names of the bidders, shall be entered on a permanent record. Each record with the successful bid indicated

thereon, and with the reasons for the award if not awarded to the lowest bidder, shall, after the award, be open to public inspection. In the event of a sale, trade, or other disposition of any property of the county of any nature or kind the procedure as outlined herein as it relates to the obtaining of written, sealed, competitive bids shall be followed and such sale, trade, or disposition of the property of the county shall be made in accordance with the most advantageous offer made.

Section 11. In an emergency a purchase may be made without obtaining information from the Division of Purchases and Stores. However, a written account of the circumstances necessitating any such emergency purchases, together with a statement describing the time purchased and naming the vendor from whom the item was purchased, shall be at once prepared by the chairman of the Board of Commissioners as purchasing agent and filed in his office. An emergency, as the term is used herein, means a situation where needed equipment of the county is idle due to the lack of parts, supplies, or repairs therefor, or when materials or supplies are immediately needed to place in operating condition the road or bridge system of the county which has become impassible or dangerous due to damage or destruction of existing portions thereof. The records of such emergency transactions shall be open to public inspection. The provisions of this Act regarding competitive bidding and obtaining information from the State Purchasing Agent may be waived for purchases of perishable commodities, utility services, machinery repairs, and commodities or services for which there is no competitive situation.

Section 12. In making purchases for the county the purchasing agent shall give preference to commodities produced or sold in Clay County, provided there is no sacrifice or loss in price or quality.

Section 13. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 14. All laws or parts of laws which conflict with this Act are repealed.

Section 15. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CLAY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. R. M. Ussery, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Publisher of the Ashland Progress, a newspaper of general circulation published in Clay County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 20, July 27, Aug. 3, and Aug. 10, all in the year 1961.

MRS. R. M. USSERY.

Sworn to and subscribed before me August 10, 1961.

ELIZABETH D. PRUET,
Title Notary Public.

By Mr. Ingram (with notice and proof):

H. 1346. Relating to the levy of additional taxes for certain purposes in Clay County; authorizing the court of county commissioners, board of revenue, or other like governing body of the county to levy, when approved at a referendum election, special county privilege license and excise taxes paralleling state sales and use taxes as provided for in Act No. 100, H. 94, approved August 18, 1959, and Article 11 of Chapter 20, Title 51, Code of Alabama 1940, as heretofore amended and supplemented; providing for collection and enforcement of such taxes by the state department of revenue.

Local Legislation No. 1.

Notice and Proof H. 1346:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF CLAY

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to the levy of additional taxes for certain purposes in Clay County; authorizing the court of county commissioners, board of revenue, or other like governing body of the county to levy, when approved at a referendum election, special county privilege license and excise taxes paralleling state sales and use taxes as provided for in Act No. 100, H. 94, approved August 18, 1959, and Article 166 of Chapter 20, Title 51, Code of Alabama 1940, as heretofore amended and supplemented; providing for collection and enforcement of such taxes by the state department of revenue.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall apply only in Clay County.

Section 2. (a) If approved by a majority of the qualified voters of Clay County who vote thereon at the referendum election provided for in subsection (b), the court of county commissioners, board of revenue, or like governing body of said county may adopt on order, ordinance, or resolution levying special county taxes, to parallel state sales and use taxes, in the manner and at the rates prescribed in this Act.

(b) The court of county commissioners, board of revenue, or like governing body of Clay County shall call and provide for holding an election

for the purpose of determining whether or not such special county taxes shall be levied and imposed as provided in this Act. The election shall be held on the first Tuesday following the expiration of 10 days after the date of this enactment. Notice of the election shall be given by publication in a newspaper published in the county at least one time before the date of the election. The election shall be held and conducted in the manner provided by law for holding other county elections, and the cost of the election, including the cost of publishing the notice, shall be paid by the county. The question to be voted on shall be stated on the ballots substantially as follows: "Do you favor a county sales tax for school purposes?"

Section 3. (a) The special county taxes levied pursuant to this Act shall be privilege license and excise taxes in substance as follows:

1. Upon every person, firm, or corporation (not including the State of Alabama or the Alabama Alcoholic Beverage Control Board or ABC stores) engaged or continuing within the county in the business of selling at retail any tangible personal property whatsoever, including merchandise and commodities of every kind and character (not including, however, bonds or other evidence of debt or stocks), an amount equal to one percent of the gross proceeds of sales of the business except where a different amount is expressly provided herein. Any person engaging or continuing in business as a retailer and wholesaler or jobber shall pay the tax required on the gross proceeds of retail sales of such businesses at the rates specified, when his books are kept so as to show separately the gross proceeds of sales of each business, and when his books are not so kept he shall pay the tax as retailer, on the gross sales of the business.

2. Upon every person, firm, or corporation engaged or continuing within the county in the business of conducting or operating places of amusement or entertainment, billiard and pool rooms, bowling alleys, amusement devices, musical devices, theaters, opera houses, moving picture shows, vaudeville, amusement parks, athletic contests, including wrestling matches, prizes fights, boxing and wrestling exhibitions, football and baseball games (including athletic contests conducted by or under the auspices of any educational institution, or any athletic association thereof, or other association whether such institution or association be denominational, a state, county, or a city school, or other institution, association, or school), skating rinks, race tracks, golf courses or any other place at which any exhibition, display, amusement, or entertainment is offered to the public or place or places where an admission fee is charged, including public bathing places, public dance halls of every kind and description, conducted or carried on within the county, an amount equal to one percent of the gross receipts of any such business.

3. Upon every person, firm, or corporation engaged or continuing within the county in the business of selling at retail machines or machinery used in mining, quarrying, compounding and manufacturing of tangible personal property, and the parts of such machines or machinery, attachments and replacements therefor which are made or manufactured for use on or in the operation of such machines or machinery, and which are necessary to the operation of such machines or machinery, and are customarily so used, an amount equal to one-half of one percent of the gross proceeds of the sale of such machines or machinery, attachments, parts and replacements therefor.

4. Upon every person, firm, or corporation engaged or continuing within the county in the business of selling at retail any automotive vehicle or truck trailer and semi-trailer, an amount equal to one-half of one percent of the gross proceeds of the sale of said automotive vehicle or truck trailer

and semi-trailer. Provided, that where any used automotive vehicle or truck trailer or semi-trailer is taken in trade, or in a series of trades, as a credit or part payment of the sale of a new or used vehicle, the tax levied herein shall be paid on the net difference, that is, the price of the new or used vehicle sold less a credit for the used vehicle taken in trade.

5. An excise tax may be imposed on—

The storage, use, or other consumption in the county of tangible personal property purchased at retail, for storage, use or other consumption in the county, at the rate of one percent of the sale price of such property, regardless of whether the retailer is or is not engaged in business in the county or in this state, except as provided in paragraphs a and b below; and

a) The storage, use, or other consumption in the county of any new or used automotive vehicle, truck trailer, or semi-trailer purchased at retail for storage, use, or other consumption in the county, at the rate of one-half of one percent of the sales price of such automotive vehicle, truck trailer, or semi-trailer. Where any used automotive vehicle or truck trailer or semi trailer is taken in trade, or in a series of trades, as a credit or part payment on the sale of a new or used vehicle, the tax levied shall be paid on the net difference, that is, the difference in the price of the new or used vehicle sold less a credit for the used vehicle taken in trade; and

b) The storage, use, or other consumption in the county of any machines or machinery used in mining, quarrying, compounding, processing and manufacturing of tangible personal property, including the parts of such machines or machinery attachments, and replacements therefor which are made or manufactured for use on or in the operation of such machines or machinery, purchased at retail for storage, use, or other consumption in the county at the rate of one-half of one percent of the sale price of such machines or machinery or the parts, attachments, or replacements therefor.

b) There shall be exempted from the levy of such taxes the gross receipts of any business and the gross proceeds of all sales which are exempted under the state sales tax statutes from the computation of the amount of the state sales tax. And there shall also be exempted from the levy the storage, use, or other consumption of property, the storage, use, or other consumption of which is exempted under the state use tax statutes from the state use tax. Subject to these exemptions, every person storing or using or otherwise consuming in the county tangible personal property purchased at retail shall be liable for the tax imposed, and the liability shall not be extinguished until the tax has been paid by such person; provided, however, that a receipt from a registered seller given to the purchaser of any property to be used, stored, or consumed in the county shall be sufficient to relieve the purchaser from further liability for the tax to which such receipt may refer. The term "registered seller" means the person registered with the state department of revenue pursuant to the state sales tax statutes. The term "state sales tax statutes" means Act No. 100, H. 94, approved August 18, 1959, which levies a retail sales tax for state purposes and includes all statutes, including amendments to said Act No. 100 heretofore enacted which expressly set forth any exemptions from the computation of the tax levied in said Act No. 100, and all other statutes heretofore enacted which expressly apply to, or purport to affect, the administration of said Act No. 100 and the incidence and collection of the tax imposed therein. The term "state use tax statutes" means Article 11 of Chapter 20, Title 51, Code of Alabama 1940, as heretofore amended, including all statutes heretofore enacted which expressly set forth any exemptions from the computation of the tax levied in said Article 11 and all other statutes heretofore enacted which expressly apply to, or purport

to affect, the administration of the said article and the incidents and collection of the tax imposed therein.

Section 4. Unless otherwise expressly provided for in the order, ordinance, or resolution levying the taxes herein authorized, such taxes shall become effective on the first day of the second month next following the date of the order, ordinance, or resolution; provided, notice of the adoption of such an order, ordinance, or resolution must be given to the commissioner of the state department of revenue not less than 45 days before the taxes are to become effective. The taxes levied and imposed shall be in addition to all other taxes now provided by law and shall be collected as hereinafter provided.

Section 5. All taxes levied pursuant to this Act shall be paid to and collected by the state department of revenue at the same time and along with the collection of the state sales tax and the state use tax. On or before the due dates of the taxes levied each person subject to such taxes shall file with the state department of revenue a report or return in such form as may be prescribed by the department, setting forth with respect to all sales and business that are required to be used as a measurement of the tax levied, a correct statement of the gross proceeds of all such sales and the gross receipts of all such business, and setting forth with respect to the use tax levied, the total sales price of all property, the use, storage, or other consumption of which became subject to the tax during the then preceding quarterly period. Such reports shall include also such other items of information pertinent to the said taxes and the amount thereof as the state department of revenue may require. Any person subject to the taxes levied may defer reporting credit sales until after their collection, and in the event he so defers reporting them, he shall thereafter include in each monthly report all credit collections made during the month preceding, and shall pay the taxes due thereon at the time of filing such report. All reports or returns filed with the state department of revenue under this section shall be available for inspection by the governing body of Clay County, or its designated agent, at reasonable times during business hours.

Section 6. Every registered seller regularly and continually making sales of tangible property for storage, use, or other consumption in Clay County (which storage, use, or other consumption is not exempted from the tax imposed) shall at the time of making such sale or, if the storage, use, or other consumption of such tangible personal property in the county is not then taxable under this Act, at the time such storage, use, or other consumption becomes taxable hereunder, collect this tax from the purchaser, and shall give to the purchaser a receipt therefor in the manner and form prescribed by the state department of revenue. On the twentieth day of the month following the close of each quarterly period, each registered seller shall file with the state department of revenue a return for the preceding quarterly period in such form as may be prescribed by the department, showing the total sales of the tangible personal property sold by such registered seller, the storage, use or other consumption of which became subject to the tax imposed during the then preceding quarterly period; and each return shall be accompanied by a remittance of the amount of the tax required to be collected by such registered seller, during the period followed by the return; provided, that any registered seller may defer collecting the tax with respect to credit sales until collection of the proceeds of such sales and may defer reporting credit sales until after their collection, but shall thereafter collect the said taxes along with collection of said credit sales and shall include in each quarterly report all credit collections made during the preceding quarterly period, and shall omit the

taxes with respect thereto at the time of filing such report or return. Any person who has paid to a registered seller the tax and respect to the use, storage, or other, or other consumption of tangible personal property in Clay County need not file a report or make any further payment of the said tax, but each person who purchases tangible personal property, the storage, use, or other consumption of which is subject to the tax imposed, and who has not paid the tax due with respect thereto to a registered seller, shall report and pay the tax as required by Section 5.

Section 7. Each person engaging or continuing within Clay County in a business subject to the taxes levied pursuant to Section 3 shall add to the sales price or admission fee and collect from the purchaser or the person paying the admission fee the amount due by the taxpayer on account of said taxes; and every registered seller shall likewise add to the sales price and collect from the purchaser the amount of any tax which such registered seller is required to collect. It shall be unlawful for any person subject to the tax levied to fail or refuse to add to the sale price or admission fee and to collect from the purchaser or person paying the admission fee the amount herein required to be so added to the sales or admission price and collected from the purchaser, and it shall likewise be unlawful for any person subject to said tax to refund or offer to refund all or any part of the amount so collected or to absorb or advertise directly or indirectly the absorption or refund of said tax or any portion thereof. It shall likewise be unlawful for any registered seller to fail or refuse to add to the sales price and to collect from the purchaser the amount of the tax imposed or to refund or offer to refund or absorb, or to advertise directly or indirectly the absorption of, said tax or any portion thereof.

Section 8. The taxes imposed pursuant to this Act shall constitute a debt due Clay County and may be collected by civil suit, in addition to all other methods provided by law and in this Act. The said taxes, together with interest and penalties with respect thereto, shall constitute and be secured by a lien upon the property of any person from whom said taxes are due or who is required to collect said taxes. All provisions of the revenue laws of this state which apply to the enforcement of liens for license taxes due the state shall apply fully to the collection of the county taxes levied and the state department of revenue, for the use and benefit of Clay County shall collect such taxes and enforce this Act and shall have and exercise for such collection and enforcement all rights and remedies that this state or the department has for collection of the state sales tax and the state use tax. The state department of revenue shall have full authority to employ such special counsel as it deems necessary from time to time to enforce collection of the taxes authorized to be levied by this Act, and to otherwise enforce the provisions of this Act, including any litigation involving the Act; and the department shall pay such special counsel such fees as it deems necessary and proper from the proceeds of the taxes collected by it for Clay County.

Section 9. All provisions of the state sales tax statutes with respect to payment, assessment and collection of the state sales tax, making of reports and keeping and preserving records with respect thereto, interest after due date of tax, penalties for failure to pay tax, make reports, or otherwise comply with the state sales tax statutes, the promulgation of rules and regulations with respect to the state sales tax, and the administration and enforcement of the state sales tax statutes, which are not inconsistent with the provisions of this Act when applied to the tax levied pursuant to Section 3 hereof, shall apply to the county tax levied; and all provisions of the state use tax statutes with respect to payment, assessment and collection of the state use tax, making quarterly reports and

keeping and preserving records with respect thereto, interest after due date of tax, penalties for failure to pay tax, make reports or otherwise comply with the state use tax statutes, the promulgation of rules and regulations with respect to the state use tax, and the administration and enforcement of the state use tax statutes, which are not inconsistent with the provisions of this Act when applied to the county use tax levied shall apply to the county tax. The commissioner of revenue and the state department of revenue shall have and exercise the same powers, duties and obligations with respect to the county taxes levied as are imposed on the commissioner and the department, respectively, by the state sales tax statutes and the state use tax statutes. All provisions of the state sales tax statutes and the state use tax statutes that are made applicable in this Act to the county taxes levied and to the administration of this Act are incorporated herein by reference and made a part hereof as if fully set forth herein.

Section 10. The state department of revenue shall charge Clay County for collecting the special county taxes levied such amount or percentage of total collections as may be agreed upon by the commissioner of revenue and the court of county commissioners, board of revenue, or like governing body of the county, but such charge shall not in any event exceed three percent of the total amount of special county taxes collected hereunder within the county. Such charge for collecting the special taxes for the county may be deducted each month from the special sales and special use taxes collected before certifying the amount of the proceeds thereof due Clay County for that month. The commissioner of revenue shall pay into the state treasury all county taxes collected under this Act, as such taxes are received by the department of revenue; and on or before the first day of each successive month (commencing with the month following the month in which the department makes the first collections hereunder), the commissioner shall certify to the state comptroller the amount of taxes collected under the provisions of this Act and paid by him into the state treasury for the benefit of Clay County during the month immediately preceding the making of such certificate. Provided, however, that before certifying the amount of the taxes paid into the state treasury for the benefit of the county during each month, the commissioner may deduct from the taxes collected in said month the charges due the department for the collection of the taxes for the county. It shall be the duty of the comptroller to issue his warrant each month payable to the custodian of the public funds of Clay County in an amount equal to the amount so certified by the commissioner of revenue as having been collected for the use of the county. The custodian of public funds for Clay County shall deposit the revenue derived from the taxes levied herein in a special account separate and apart from other county funds, and shall maintain separate records of such special account.

Section 11. The net revenue derived by the county from the taxes levied under this Act shall be paid over to the board of education of Clay County and shall be spent by the board for the operation and maintenance of the schools in the county school system.

Section 12. All laws or parts of laws which conflict with this Act are repealed.

Section 13. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 14. This Act shall become effective immediately upon its passage and approved by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CLAY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. R. M. Ussery, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Publisher of the Ashland Progress, a newspaper of general circulation published in Clay County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 20, July 27, Aug. 3, and Aug. 10, all in the year 1961.

MRS. R. M. USSERY.

Sworn to and subscribed before me August 10, 1961.

ELIZABETH D. PRUET,
Title Notary Public.

By Mr. Dunn:

H. 1347. To provide a medium through which residents of this State may obtain, from non-admitted insurers and through duly licensed surplus lines brokers, coverage not readily procurable through admitted insurers; to provide for the placement and administration of surplus lines insurance; to prohibit acting for or aiding non-admitted insurers—exceptions; to provide standards for authorizing the export of surplus lines insurance; to enable admitted insurers to compete with non-admitted insurers by waiving rate filing requirement for eligible surplus lines insurance; to provide eligibility requirements for non-admitted insurers; to require furnishing of evidence of surplus lines insurance and filing of certain reports; to make valid surplus lines insurance; to provide for liability of non-admitted insurer for losses and unearned premiums; to provide for licensing of surplus lines brokers; to prescribe records and reports of surplus lines brokers; to provide for the collection and payment of taxes on premiums for surplus lines insurance; requiring the report of placement and payment of tax on insurance independently procured from non-admitted insurers; to provide for investigations for violations of this act and penalties therefor.

Insurance.

By Mr. Dunn.

H. 1348. To amend Section 14 of Act No. 598, H. 871 approved September 18, 1957 (Acts of Alabama, Regular Session 1957, p. 848), the act to regulate the qualifications, applications, examinations and licensing of all persons who shall be hereafter licensed to act as agent for or to solicit business for any life or health and accident insurance carriers in Alabama who shall engage in the business of selling, soliciting, issuing, delivering, effecting or collecting premiums on policies or contracts of life insurance or contracts of health and accident insurance or both; to define terms; to provide penalties for violations of the provisions hereof; to prohibit the representing of unauthorized insurers; to provide for liability of insurance agents when representing unauthorized insurers; to prohibit the doing of business by unlicensed agents; to prohibit the doing of business with unauthorized agents; to provide for the revocation of licenses; to provide that certain information, documents, records or

statements disclosed or made to the Superintendent of Insurance shall be deemed a privileged communication and shall not be used as evidence in any court action or proceeding; to provide for the refusal, suspension, or revocation of license and to provide for a hearing thereof, to provide an appeal from certain actions of the Superintendent; to provide for the making of certain rules and regulations by the Superintendent; to provide for the making of certain investigations by the Superintendent; to provide for penalties for the violation of this Act; to provide for the severability of this Act; to repeal conflicting laws; and to provide an effective date for this Act.

Insurance.

By Mr. Dunn:

H. 1349. To amend Section 10 of Act No. 530, H. 629, approved September 13, 1957 (Acts of Alabama, Regular Sessions 1957, P. 726), The Act: To protect the interest of the public with respect to insurance agents, solicitors and brokers: to regulate the conduct of the business of insurance agents, solicitors and brokers: to provide for the powers and duties of the Superintendent of Insurance with respect thereto: to provide for the examining and licensing of insurance agents, solicitors and brokers: to provide for the administration of this Act: to provide for the denial, revocation or suspension of licenses under this Act: to provide for penalties for the violation of any provision of this Act: to provide for judicial review of the acts of the Superintendent of Insurance with respect to the administration of the provisions of this Act: to repeal all laws or parts of laws in conflict therewith:

Insurance.

By Mr. Dunn:

H. 1350. To regulate the making and applying of rates for all forms of casualty insurance including fidelity, surety and guaranty bonds and for all forms of fire, marine and inland marine insurance, except as herein provided; to provide for the licensing and for the supervision of rating organizations and for the supervision of advisory organizations by the Department of Insurance; to prohibit discrimination between risks of the same class and hazard; to provide for the filing of rates, rating systems and other data and information with the Department of Insurance by rating organizations and insurers; to provide for the approval or the disapproval by the Department of Insurance of certain rates; to provide for a hearing on the approval or disapproval by the Department of Insurance of any rate or rating system at the instance of any eligible aggrieved party and for the right of appeal from the determination made by the Department of Insurance; to provide for certain penalties for violation of the provisions of this Act; and to repeal all laws or parts of laws in conflict herewith and to expressly repeal Act 132, House Bill 186, Regular Session 1945; and Act 133, House Bill 187, Regular Session 1945.

Insurance.

By Messrs. Speaks and Grouby:

H. 1351. To amend further Code of Alabama 1940, Title 13, Section 112, so as to create the 34th judicial circuit.

State Administration.

By Mr. Steagall:

H. 1352. To provide expense allowances for county superintendents of education of all counties having populations of not less than 31,000 nor more than 32,000.

Local Legislation No. 1.

By Messrs. Barnett, Hearn, Ray, Shumate, Johnson (Hardaway), Oden, Gordon, Self, McCorquodale, Adams, Dunn, McLendon (Bullock), Goodwyn, Cates, Oakley, Long (Perry) and Lee:

H. 1353. Relating to motor vehicles; to provide for the use of only one license tag or plate; amending Code of Alabama 1940, Title 36, Section 75, and Title 51, Section 705.

Ways and Means.

By Mr. Ray (with notice and proof):

H. 1354. To provide additional revenue for educational purposes and for general county revenue purposes in Winston County; authorizing the court of county commissioners, board of revenue, or like county governing body, to levy, when approved at a referendum election, special county privilege license and excise taxes similar to state sales and use taxes as provided for in Act No. 100, H. 94, approved August 18, 1959, and in Article 11 of Chapter 20, Title 51, Code of Alabama 1940, as heretofore amended and supplemented; specifying sales and transactions that are exempt from the tax; specifying property, the use, storage or other consumption of which is exempt from the excise tax; providing for collection and enforcement of such taxes by the state department of revenue.

Local Legislation No. 1.

Notice and Proof H. 1354:

LEGAL NOTICE
A BILL
TO BE ENTITLED
AN ACT

To provide additional revenue for educational purposes and for general county revenue purposes in Winston County; authorizing the court of county commissioners, board of revenue, or like county governing body, to levy, when approved at a referendum election, special county privilege license and excise taxes similar to state sales and use taxes as provided for in Act No. 100, H. 94, approved August 18, 1959, and in Article 11 of Chapter 20, Title 51, Code of Alabama 1940, as heretofore amended and supplemented; specifying sales and transactions that are exempt from the tax; specifying property, the use, storage or other consumption of which is exempt from the excise tax; providing for collection and enforcement of such taxes by the state department of revenue.

Be It Enacted by the Legislature of Alabama:

Section 1. (a) If approved by a majority of the qualified voters of Winston County who vote thereon at the referendum election provided for in subsection (b), the court of county commissioners, board of revenue or like governing body of said county may adopt an order, ordinance, or resolution

levying special county taxes to parallel state sales and use taxes, in the manner and at the rates prescribed in this act.

(b) The court of county commissioners, board of revenue, or like governing body of Winston County shall call and provide for holding an election for the purpose of determining whether or not such special county taxes shall be levied and imposed as provided in this act. Notice of the election shall be given not more than 45 nor less than 30 days before the date set for the election, by publication in a newspaper published in the county once a week for four successive weeks. The election shall be held on the same day as the next primary, general, or special election that is held in the county following the effective date of this enactment. The election shall be held and conducted in the manner provided by law for holding other county elections, and the cost of the election, including the cost of publishing the notice, shall be paid by the county. The question to be voted on shall be stated on the ballots substantially as follows: "Do you favor a one-cent county sales tax for schools and for general county revenue purposes?"

Section 2. (a) The special county taxes levied pursuant to this act shall be privilege license and excise taxes in substance as follows:

1. Upon every person, firm, or corporation (not including the State of Alabama or the Alabama Alcoholic Beverage Control Board or ABC stores) engaged or continuing within Winston County in the business of selling at retail any tangible personal property whatsoever, including merchandise and commodities of every kind and character (not including, however, bonds or other evidence of debt or stocks), an amount equal to one percent of the gross proceeds of sales of the business except where a different amount is expressly provided herein. Any person engaging or continuing in business as a retailer and wholesaler or jobber shall pay the tax required on the gross proceeds of retail sales of such businesses at the rates specified, when his books are kept so as to show separately the gross proceeds of sales of each business, and when his books are not so kept he shall pay the tax as retailer on the gross sales of the business.

2. Upon every person, firm, or corporation engaged or continuing within Winston County in the business of conducting or operating places of amusement or entertainment, billiard and pool rooms, bowling alleys, amusement devices, musical devices, theaters, opera houses, moving picture shows, vaudeville, amusement parks, athletic contests, including wrestling matches, prize fights, boxing and wrestling exhibitions, football and baseball games (including athletic contests conducted by or under the auspices of any educational institution, or any athletic association thereof, or other association whether such institution or association be denominational, a state, county, or a city school, or other institution, association, or school), skating rinks, race tracks, golf courses or any other place at which any exhibition, display, amusement, or entertainment is offered to the public or place or places where an admission fee is charged, including public bathing places, public dance halls of every kind and description, conducted or carried on within Winston County, an amount equal to one percent of the gross receipts of any such business.

3. Upon every person, firm, or corporation engaged or continuing within Winston County in the business of selling at retail machines used in mining, quarrying, compounding, processing and manufacturing of tangible personal property, and the parts of such machines, attachments and replacements therefor which are made or manufactured for use on or in the operation of such machines, and which are necessary to the operation of such machines and are customarily so used, an amount equal to one-half of one

percent of the gross proceeds of the sale of such machines, attachments, parts and replacements therefor.

4. An excise tax may be imposed on—

The storage, use, or other consumption in Winston County of tangible personal property purchased at retail, for storage, use or other consumption in Winston County, at the rate of one percent of the sale price of such property, regardless of whether the retailer is or is not engaged in business in Winston County or in this state, except as provided in paragraph a below; and a. The storage, use, or other consumption in Winston County of any machine used in mining, quarrying, compounding, processing and manufacturing of tangible personal property, including the parts of such machines, attachments, and replacements therefor which are made or manufactured for use on or in the operation of such machines, purchased at retail for storage, use, or other consumption in Winston County, at the rate of one-half of one percent of the sales price of such machine or the parts, attachments, or replacements therefor.

(b) There are exempted from the provisions of this act and from the computation of the amount of the tax levied, assessed or payable under this act the gross proceeds of sales of television sets, the gross proceeds of sales of refrigerators, the gross proceeds of sales of kitchen stoves, the gross proceeds of the sale of new and used automotive vehicles, trucks, trailer or semi trailers and there shall be exempted from the levy of such taxes the gross receipts of any business and the gross proceeds of all sales which are exempted under the state sales tax statutes from the computation of the amount of the state sales tax. And there shall also be exempted from the levy the storage, use, or other consumption of property, the storage, use or other consumption of which is exempted under the state use tax statutes from the state use tax. Subject to these exemptions, every person storing or using or otherwise consuming in Winston County tangible personal property purchased at retail shall be liable for the tax imposed, and the liability shall not be extinguished until the tax has been paid by such person; provided, however, that a receipt from a registered seller given to the purchaser of any property to be used, stored, or consumed in Winston County shall be sufficient to relieve the purchaser from further liability for the tax to which such receipt may refer. The term "registered seller" means the person registered with the state department of revenue pursuant to the state sales tax statutes. The term "state sales tax statutes" means Act No. 100, H. 94, approved August 18, 1959, which levies a retail sales tax for state purposes, and includes all statutes, including amendments to said Act No. 100 heretofore enacted which expressly set forth any exemptions from the computation of the tax levied in said Act No. 100, and all other statutes heretofore enacted which expressly apply to, or purport to affect, the administration of said Act No. 100 and the incidence and collection of the tax imposed therein. The term "state use tax statutes" means Article 11 of Chapter 20, Title 51, Code of Alabama 1940, as heretofore amended, including all statutes heretofore enacted which expressly set forth any exemptions from the computation of the tax levied in said Article 11 and all other statutes heretofore enacted which expressly apply to, or purport to affect, the administration of the said article and the incidence and collection of the tax imposed therein.

Section 3. Unless otherwise expressly provided for in the order, ordinance, or resolution levying the taxes herein authorized, such taxes shall become effective on the first day of the second month next following the date of the order, ordinance, or resolution; provided, notice of the adoption of such an order, ordinance, or resolution must be given to the commissioner of the state department of revenue not less than 45 days before the taxes

are to become effective. The taxes levied and imposed shall be in addition to all other taxes now provided by law and shall be collected as hereinafter provided.

Section 4. The sales tax levied pursuant to Section 2 shall be due and payable in monthly installments on or before the 20th day of the month next succeeding the month in which the tax accrues; the use tax levied pursuant to Section 2 shall be due and payable quarterly on or before the 20th day of the month next succeeding each quarterly period during which the storage, use, or other consumption of the tangible personal property became taxable, each such quarterly period to end on the last day of each of the months of March, June, September and December. All taxes levied pursuant to this act shall be paid to and collected by the state department of revenue at the same time and along with the collection of the state sales tax and the state use tax. On or prior to the due dates of the taxes levied each person subject to such taxes shall file with the state department, of revenue a report or return in such form as may be prescribed by the department, setting forth with respect to all sales and business that are required to be used as a measurement of the tax levied, a correct statement of the gross proceeds of all such sales and the gross receipts of all such business, and setting forth with respect to the use tax levied, the total sales price of all property, the use, storage, or other consumption of which became subject to the tax during the then preceding quarterly period. Such reports shall include also such other items of information pertinent to the said taxes and the amount thereof as the state department of revenue may require. Any person subject to the taxes levied may defer reporting credit sales until after their collection, and in the event he so defers reporting them, he shall thereafter include in each monthly report all credit collections made during the month preceding, and shall pay the taxes due thereon at the time of filing such report. All reports or returns filed with the state department of revenue under this section shall be available for inspection by the governing body of Winston County, or its designated agent, at reasonable times during business hours.

Section 5. Every registered seller making sales of tangible personal property for storage, use, or other consumption in Winston County (which storage, use, or other consumption is not exempted from the tax imposed) shall at the time of making such sale, or, if the storage, use, or other consumption of such tangible personal property in Winston County is not then taxable under this act, at the time such storage, use, or other consumption becomes taxable hereunder, collect the tax from the purchaser and shall give to the purchaser a receipt therefor in the manner and form prescribed by the state department of revenue. On the twentieth day of the month following the close of each quarterly period provided for in Section 4 thereof, each registered seller shall file with the state department of revenue a return for the preceding quarterly period in such form as may be prescribed by the department, showing the total sales of the tangible personal property sold by such registered seller, the storage, use, or other consumption of which became subject to the tax imposed during the then preceding quarterly period; and each return shall be accompanied by a remittance of the amount of the tax required to be collected by such registered seller during the period followed by the return; provided, that any registered seller may defer collecting the tax with respect to credit sales until collection of the proceeds of such sales and may defer reporting credit sales until after their collection, but shall thereafter collect the said taxes along with collection of said credit sales and shall include in each quarterly report all credit collections made during the preceding quarterly period, and shall omit the taxes with respect thereto at the time of filing such report or return. Any person who has paid to a registered seller the

tax with respect to the use, storage, or other consumption of tangible personal property in Winston County need not file a report or make any further payments of the said tax, but each person who purchases tangible personal property, the storage, use, or other consumption of which is subject to the tax imposed, and who has not paid the tax due with respect thereto to a registered seller, shall report and pay the tax as required by Section 4.

Section 6. Each person engaging or continuing within Winston County in a business subject to the taxes levied pursuant to Section 2 shall add to the sales price or admission fee and collect from the purchaser or the person paying the admission fee the amount due by the taxpayer on account of said taxes; and every registered seller shall likewise add to the sales price and collect from the purchaser the amount of any tax which such registered seller is required to collect. It shall be unlawful for any person subject to the tax levied to fail or refuse to add to the sales price or admission fee and to collect from the purchaser or person paying the admission fee the amount herein required to be so added to the sales or admission price and collected from the purchaser, and it shall likewise be unlawful for any person subject to said tax to refund or offer to refund all or any part of the amount so collected or to absorb or advertise directly or indirectly the absorption or refund of said tax or any portion thereof. It shall likewise be unlawful for any registered seller to fail or refuse to add to the sales price and to collect from the purchaser the amount of the tax imposed or to refund or offer to refund or absorb, or to advertise directly or indirectly the absorption of said tax or any portion thereof.

Section 7. The taxes imposed pursuant to this act shall constitute a debt due Winston County and may be collected by civil suit, in addition to all other methods provided by law and in this act. The said taxes, together with interest and penalties with respect thereto, shall constitute and be secured by a lien upon the property of any person from whom said taxes are due or who is required to collect said taxes. All provisions of the revenue laws of this state which apply to the enforcement of liens for license taxes due the state shall apply fully to the collection of the county taxes levied, and the state department of revenue, for the use and benefit of Winston County shall collect such taxes and enforce this act and shall have and exercise for such collection and enforcement all rights and remedies that this state or the department has for collection of the state sales tax and the state use tax. The state department of revenue shall have full authority to employ such special counsel as it deems necessary from time to time to enforce collection of the taxes authorized to be levied by this act, and to otherwise enforce the provisions of this act, including any litigations involving the act; and the department shall pay such special counsel such fees as it deems necessary and proper from the proceeds of the taxes collected by it for Winston County.

Section 8. All provisions of the state sales tax statutes with respect to payment, assessment and collection of the state sales tax, making of reports and keeping and preserving records with respect thereto, interest after due date of tax, penalties for failure to pay tax, make reports, or otherwise comply with the states sales tax statutes, the promulgation of rules and regulations with respect to the state sales tax, and the administration and enforcement of the state sales tax statutes, which are not inconsistent with the provisions of this act when applied to the tax levied pursuant to Section 2 hereof, shall apply to the county tax levied; and all provisions of the state use tax statutes with respect to payment, assess-

ment and collection of the state use tax, making quarterly reports and keeping and preserving records with respect thereto, interest after due date of tax, penalties for failure to pay tax, make reports or otherwise comply with the state use tax statutes, the promulgation of rules and regulations with respect to the state use tax, and the administration and enforcement of the state use tax statutes, which are not inconsistent with the provisions of this act when applied to the county use tax levied shall apply to the county tax. The commissioner of revenue and the state department of revenue shall have and exercise the same powers, duties and obligations with respect to the county taxes levied as are imposed on the commissioner and the department respectively, by the state sales tax statutes and the state use tax statutes. All provisions of the state sales tax statutes and the state use tax statutes that are made applicable to this act to the county taxes levied and to the administration of this act are incorporated herein by reference and made a part hereof as if fully set forth herein.

Section 9. The state department of revenue shall charge Winston County for collecting the special county taxes levied such amount or percentage of total collections as may be agreed upon by the commissioner of revenue and the court of county commissioners, board of revenue, or like governing body of the county, but such charge shall not in any event exceed two per cent of the total amount of special county taxes collected hereunder within the county. Such charge for collecting the special taxes for the county may be deducted each month from the special sales and special use taxes collected before certifying the amount of the proceeds thereof due Winston County for that month. The commissioner of revenue shall pay into the state treasury all county taxes collected under this act, as such taxes are received by the department of revenue; and on or before the first day of each successive month (commencing with the month following the month in which the department makes the first collections hereunder), the commissioner shall certify to the state comptroller the amount of taxes collected under the provisions of this act and paid by him into the state treasury for the benefit of Winston County during the month immediately preceding the making of such certificate: Provided, however, that before certifying the amount of the taxes paid into the state treasury for the benefit of Winston County during each month, the commissioner may deduct from the taxes collected in said month the charges due the department for the collection of the taxes for the county. It shall be the duty of the comptroller, in his official capacity, to issue his warrant each month payable to the custodian of the public school funds of Winston County in an amount equal to fifty percent of the amount so certified by the commissioner of revenue as having been collected for the use of the county and to issue his warrant each month payable to the county treasurer or other custodian of the general fund of Winston County in an amount equal to the remainder of such certified amount. The custodian of public school funds for Winston County shall deposit the revenue derived from the taxes levied herein for educational purposes in a special account separate and apart from other public school funds of the county, and shall maintain separate records of such special account. The county board of education shall require an additional bond of the custodian of public school funds, in an amount to be prescribed by the board of education and payable to the board and conditioned as prescribed by law. Such additional bond shall be filed and recorded in the office of the judge of probate of the county. The premiums on such bond shall be paid from any school funds derived thereunder. The proceeds of the taxes levied pursuant to this act shall be used by the county board of education for any educational purposes authorized by law.

Section 10. The provisions of this act are severable. If any part of

the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 11. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF WINSTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jay Thornton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Advertiser, a newspaper of general circulation published in Winston County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 18, July 25, Aug. 1, and Aug. 8, all in the year 1961.

JAY THORNTON.

Sworn to and subscribed before me August 8, 1961.

R. J. THORNTON,
Title Notary Public.

By Mr. Roberts:

H. 1355. Proposing an amendment to Article VIII, Section 181, as amended, of the Constitution of Alabama, in relation to voter registration requirements and questionnaires.

Judiciary.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Locke and Perry:

H. 1356. To protect and preserve basic trust and fiduciary purposes and interests inherent in the intent and understanding when property in Alabama shall have been subjected or devoted to local fraternal uses; to prevent impairment of such intent and to preserve the charitables or trust use intended, from subjection to uses, functions or rules subversive of such intent or inconsistent with social order, harmony and good will in the administration thereof as a result of or, in the event of action by any higher or affiliate order or other authority affecting the administration or use of the property; and to provide for repayment of loans or grants made by the parent order (or its affiliated organization) to the local fraternity as those terms are herein defined; and to provide procedure for protection and preservation of such intent and the fraternal, charitable or educational use involved and said declaratory act to that end.

Judiciary.

By Mr. Roberts:

H. 1357. Further regulating the registration of voters in Alabama;

prescribing qualifications for registering and voting and providing for the determination thereof; creating the state board of examiners for voter registration, and prescribing its powers and duties; providing for the appointment and removal of the members of this board and prescribing their duties, powers, terms, and compensation; providing for the appointment of an executive secretary of the board, and regulating his duties, powers, tenure and compensation; prescribing penalties; and repealing conflicting legislation.

Judiciary.

By Messrs. Nettles, Grant, Daniel, Oakley and Salter:

H. 1358. To raise revenue by levying and providing for the collection of additional sales and use taxes for the purpose of providing funds for educational purposes.

Ways and Means.

By Messrs. Ferguson and Callahan (with notice and proof):

H. 1359. For the relief of John T. Lancaster, authorizing and requiring the county governing body of Tuscaloosa County, Alabama, to make an appropriation from the county treasury to compensate the said John T. Lancaster for certain damages.

Local Legislation No. 1.

Notice and Proof H. 1359:

LEGAL NOTICE

THE STATE OF ALABAMA
COUNTY OF TUSCALOOSA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

For the relief of John T. Lancaster, authorizing and requiring the county governing body of Tuscaloosa County, Alabama, to make an appropriation from the county treasury to compensate the said John T. Lancaster for certain damages.

Be It Enacted by the Legislature of Alabama:

Section 1. That the Board of Revenue or other like governing body of Tuscaloosa County, Alabama, is hereby authorized and required to appropriate from the county treasury, the sum of Six Thousand and No-100 (\$6,000.00) Dollars, for the relief of John T. Lancaster, and to compensate him for damages for an injury inflicted upon him on the 25th day of February, 1961, where there was a defect in a county road causing the said John T. Lancaster to sustain injuries to his person in an automobile wreck.

Section 2. The said governing body of Tuscaloosa County is hereby authorized to draw its voucher on the county treasury for said sum and to pay the same to the said John T. Lancaster.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA TUSCALOOSA COUNTY

I hereby certify that the attached notice was published in the Tuscaloosa News once a week for 4 consecutive weeks; viz, July 20, 27, August 3, 10, 1961.

WALLACE LEE,
Legal Clerk.

Subscribed and sworn to before me on this the 10th day of August, 1961.

LILLA COLLINS,
Notary Public.

By Messrs. Cabiness and Gross:

H. 1360. To propose a constitutional amendment relative to levying additional taxes in Jackson County for acquiring, constructing and maintaining a vocational trade school and for rural and industrial development of the county.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Mr. Gross:

H. 1361. To propose an amendment to the Constitution of Alabama relating to the costs and charges of courts in Jackson County and the compensation of certain officers of Jackson County.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Mr. Gross:

H. 1362. To prohibit the taking of fish from the public waters of counties having populations of not less than 36,600 nor more than 37,600, with hoop and fyke nets, gill nets, trammel nets, or any other kind of commercial fishing gear except setlines, trotlines, and snaglines.

Local Legislation No. 1.

By Messrs. Engel and Murphy (with notice and proof):

H. 1363. To amend Section 2 of an act of the Legislature of Alabama being Local Act No. 102 approved June 3, 1943, page 59 of the Local Acts of 1943, entitled: "To authorize the Sheriff of Mobile County, Alabama, to select and appoint an attorney to advise and counsel him on the operation of such office and to handle all legal matters pertaining to said office; to provide for the manner of the appointment of such attorney, the term of office of such attorney; to provide for the salary of such attorney and the method of payment of such salary."

Local Legislation No. 1.

Notice and Proof H. 1363:

LEGAL NOTICE

A BILL TO BE ENTITLED AN ACT

To amend Section 2 of an act of the Legislature of Alabama being Local Act No. 102 approved June 3, 1943, Page 59 of the Local Acts of 1943, entitled: "To authorize the Sheriff of Mobile County, Alabama, to select and appoint an attorney to advise and counsel him on the operation of such office and to handle all legal matters pertaining to said office; to provide for the manner of the appointment of such attorney, the term of office of such attorney; to provide for the salary of such attorney and the method of payment of such salary."

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 2 of an act of the Legislature of Alabama being Local Act No. 102 approved June 3, 1943, Page 59 of the Local Acts of Alabama of 1943 be and the same is hereby amended so as to read as follows: "Section 2. Such attorney so appointed shall receive as his compensation Twenty-eight and No/100 (\$2,800.00) Dollars per annum, payable in equal monthly installments upon warrants drawn in the same manner as other employees of Mobile County."

Section 2. That all laws or parts of laws, general, local or special, in conflict with the provisions of this act be, and the same are hereby expressly repealed.

Section 3. This act shall become effective immediately upon its passage by the Legislature and its approval by the Governor or its otherwise becoming a law.

PROOF OF PUBLICATION

W. F. Egan being sworn, says that he is Comptroller of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama; and the attached notice appeared in the issue of The Mobile Register July 7, 14, 21, 28,

W. F. EGAN.

Sworn to and subscribed before me this 7th day of August, 1961.

OAKLEY MELTON, JR.,
Notary Public.

LEGAL NOTICE

By Mr. Engel:

H. 1364. Regulating the practice of barbering; prescribing the terms upon which licenses may be issued to practitioners of barbering, including students and apprentices; regulating barber shops, barber schools and instructors; providing for the appointment of a County Board of Barber Commissioners, and defining the duties of said Board; prescribing fees; defining certain misdemeanors and providing penalties for violation thereof in all counties having a population of not less than 300,000 nor more than 500,000 inhabitants according to the last or any subsequent federal decennial census.

Local Legislation No. 1.

By Mr. Engel (with notice and proof):

H. 1365. Relating to the City of Mobile, Alabama; to provide for the creation of the Mobile Tree Commission, to provide for the membership of such Commission, and the method of appointment and term of such commissioners; to provide the officers of the Commission; to provide the powers, duties and obligations of the Commission; to provide that no person shall cut, trim, or in any way damage any tree in any street right-of-way in the City of Mobile without prior written approval by the Commission; to provide that any violation of this Act shall be a misdemeanor and to provide the penalty for such violation and to provide for appeal from the decisions of the Commission.

Local Legislation No. 1.

Notice and Proof H. 1365:

LEGAL NOTICE

Notice is hereby given that a bill substantially as follows will be introduced in the session of the Alabama Legislature now meeting:

A BILL
TO BE ENTITLED
AN ACT

Relating to the City of Mobile, Alabama; to provide for the creation of the Mobile Tree Commission, to provide for the membership of such Commission, and the method of appointment and term of such commissioners; to provide the officers and employes of the Commission and to require the City of Mobile to make certain payments on behalf of such Commission, to provide the powers, duties and obligations of the Commission, to provide that no person shall cut, trim, or in any way damage any tree and any street right-of-way in the City of Mobile without prior written approval by the Commission, to provide that any violation of this Act shall be a misdemeanor and to provide the penalty for such violation and to provide for appeal from the decisions of the Commission.

Be It Enacted by the Legislature of Alabama:

Section 1. It is hereby declared that the trees on private property and in publicly owned areas within the City of Mobile, including particularly those in street rights-of-way, are both an economic and an aesthetic asset

to the City of Mobile and the State of Alabama; that the existing trees so located are in need of protection and of active measures to support their health and growth, that it is desirable that additional trees be planted, and that those ends require a separate agency specifically charged with the responsibility and duty of fostering the planting, growth and protection of trees on private property and publicly owned areas.

Section 2. There is hereby created the Mobile Tree Commission, to consist of five (5) members, each such member to be appointed by the governing body of the City of Mobile from a panel of three (3) persons nominated by each one of the bodies named below: The Historic Mobile Preservation Society, Inc.; the Federated Garden Clubs of Mobile County, Inc.; the Mobile Azalea Trail, Inc.; the Tourist Committee of the Mobile Area Chamber of Commerce; the Allied Arts Council of Metropolitan Mobile, Inc.

One of the Commissioners who is first appointed shall be designated to serve for a term of five (5) years, one for four (4) years, one for three (3) years, one for two (2) years, one for one (1) year, respectively, from the date of their appointment. Thereafter the term of office of each commissioner shall be five (5) years. Each Commissioner shall serve until his successor takes office, and any vacancies shall be filled by appointment from a panel nominated by the same entity which nominated the predecessor Commissioner. Three Commissioners shall constitute a quorum.

Section 3. Members of the Commission shall serve without salary or remuneration, except for necessary travel expenses. They shall annually elect from among their number a Chairman, a Vice Chairman, a Secretary and a Treasurer. They may elect or employ other officers and employees as they may deem necessary. All paid officers and employees of the Commission shall be subject to the same provisions of law as regular employees of the City of Mobile.

Section 4. The Commission is authorized to accept contributions and to expend the same for the purposes of carrying out its duties and obligations imposed by this Act, and to further spend for such purposes the sum of \$10,000.00 per annum and such additional sums as authorized by the City of Mobile, including compensation and expenses of all members, officers and employes, and the City of Mobile shall pay such expenses when certified by the Chairman or Vice Chairman of the Commission, the total cost to the City of Mobile not to exceed, however, the sum of \$10,000.00 per annum, unless the governing body of the City of Mobile shall authorize expenditures of additional sums for such purposes. The City of Mobile shall also furnish to the Commission suitable office space and utilities therefor.

Section 5. The City of Mobile and other governmental subdivisions and agencies of the State, shall continue to be responsible for all trees on publicly owned property.

Section 6. The Tree Commission shall cooperate with and coordinate its activities with the Street Department, the Department of Parks and Cemeteries and other departments of the City of Mobile; and all agencies of the City shall cooperate with the Tree Commission.

Section 7. The Commission shall take active steps to:

(a) Educate the public as to the economic and aesthetic benefits of

trees to the City of Mobile and its citizens, both on publicly owned property and privately owned property;

(b) Promote the planting, health and growth of trees in the City of Mobile, with the particular objective of establishing and protecting avenues of live oak trees and other trees deemed suitable by the Commission;

(c) Promote the care, feeding, fertilization and other measures desirable for the health and growth of existing trees in street rights-of-way in the City of Mobile, and,

(d) Protect trees located in street rights-of-way in the City of Mobile from damage, removal, lack of sustenance or any other act or condition which might threaten the health and growth of such trees.

Section 8. The Commission may adopt by-laws and rules and regulations not in conflict herewith, shall meet regularly at least once each month and specially as it deems necessary and may be provided in such by-laws, may provide such printed forms to be used as shall be necessary to govern its proceedings and to effectuate the provisions of this Act, may cause such studies to be made as it deems necessary, may perform its functions directly through its own agents or employees, or may contract with others for specific or general services to carry out its purposes hereunder. It shall keep a record of its proceedings and a register of all applications made to it and its action thereon, all of which, shall be public records. Any person desiring a copy of any act or proceeding of the Commission may obtain the same by paying a fee of One Dollar (\$1.00) for each and every page or portion thereof.

Section 9. No person shall cut, remove, trim, or in any way damage any tree in any street right-of-way in the City of Mobile or shall create any condition injurious to any such tree without having first made a written application to do so to the Commission and having obtained advance written permission from the Commission. For the purposes of this Act any paving or covering the surface of the ground within ten (10) feet of the main trunk of a tree shall prima facie be damaging and injurious. Any governmental body, utility or other person may obtain a continuing or blanket permission. The Commission may approve part of an application or may approve an application upon such terms and conditions as the Commission may fix. The form of application shall be as established from time to time by the Commission, and the Commission may delegate to one or more of its members or officers the power to grant such permission in accordance with standards set by it. The Commission may in its discretion hold public hearings on any application. In considering any application before it the Commission shall base its decision on whether the public or private benefit that will result from granting the application outweighs the public and private benefit that will result from denying it.

Section 10. Any person aggrieved by any decision of any officer or agent of the Commission to whom its duties are delegated may appeal to the Commission under such rules and regulations as the Commission may fix. Any person aggrieved by any decision of the Commission may, within fifteen (15) days thereafter, appeal to the Circuit Court of Mobile County, Alabama, by filing with the Commission a written notice of appeal and making and filing with the Clerk of such Court a bond approved by such Clerk conditioned to pay the costs of such appeal. The hearing and trial in the Circuit Court shall be de novo. No such appeal shall authorize any person to take any action pending appeal, application for which has been denied by the Commission.

Section 11. Any person who shall violate the provisions of this Act shall be deemed guilty of a misdemeanor and shall, on conviction, be fined not less than \$100, nor more than \$10,000.00, and may also be imprisoned in the county jail, or sentenced to hard labor for the county for not more than one (1) year.

Section 12. All laws or parts of law which conflict with this Act are repealed.

Section 13. Should any section, provision or part of this Act be declared unconstitutional or void by any Court of competent jurisdiction, it shall not affect the validity of the remaining sections, provisions or parts of this Act.

Section 14. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

W. F. Egan being sworn, says that he is Comptroller of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register July 4, 11, 18, 25, 1961.

W. F. EGAN.

Sworn to and subscribed before me this 7th day of August, 1961.

OAKLEY MELTON, JR.,
Notary Public.

By Messrs. Trimmier and Murphy (with notice and proof):

H. 1366. To alter, rearrange, and add to the limits of the City of Saraland, Alabama, and to alter and rearrange the limits of the City of Mobile, Alabama, by removing certain area from the limits of the City of Mobile, Alabama and adding same to the limits of the City of Saraland, Alabama, and to describe the area so removed from the City of Mobile, Alabama, and so added to the City of Saraland, Alabama.

Local Legislation No. 1.

Notice and Proof H. 1366:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Regular or Special Session of the Legislature of Alabama and application for its passage and enactment will be made, to wit:

A BILL TO BE ENTITLED AN ACT

To alter, rearrange, and add to the limits of the City of Saraland, Alabama, and to alter and rearrange the limits of the City of Mobile, Ala-

bama, by removing certain area from the limits of the City of Mobile, Alabama and adding same to the limits of the City of Saraland, Alabama, and to describe the area so removed from the City of Mobile, Alabama, and so added to the City of Saraland, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the City of Saraland, Alabama are altered, rearranged, and extended to include within the corporate limits of said City, the parcel of land hereinafter described and the boundaries of the City of Mobile are altered and rearranged to exclude from within the corporate limits of said City the said land described as follows:

Parcel 1. All that tract or parcel of land lying and being in irregular Section 3, Township 3 South, Range 1 West, Mobile County, Alabama, and being more particularly described as follows:

Beginning at the intersection of Norton Creek and the West R.O.W. line of the A.T.&N. Railroad, said point being a corner of the existing Saraland City Limits; thence S 05 degrees, 25' West along said R. O. W. line which is along said existing City Limits a distance of 1160 feet, more or less, to the North R.O.W. line of Station Street; thence South 86 degrees 54" East, along the extension of said R.O.W. line, a distance of 200 feet, more or less, to the East R.O.W. line of the Southern Railroad; thence East a distance of 535 feet; thence North a distance of 650 feet, more or less, to the center of Norton Creek which is the boundary of the existing City Limits; thence Northwesterly upstream along the meanders of the center line of said Creek which is the boundary of said City Limits 905 feet, more or less, to the point of beginning. Containing 15.33 acres more or less.

Parcel 2. All that tract or parcel of land lying and being in irregular Sections 4 and 5, Township 3 South, Range 1 West, Mobile County, Alabama, and being more particularly described as follows:

Beginning at a point on the East line of said Section 5 and the Northwest R.O.W. line of Shelton Beach Road, said point being on the boundary of the existing Saraland City Limits; thence North 00°, 26', 30" East along the East line of said Section 5 and the East line of said Section 4, which is along said City Limits, a distance of 2283 feet, more or less to the center of Norton Creek; thence Westerly upstream along the meanders of the center line of said Creek a distance of 1770 feet, more or less, to the Southeast R.O.W. line of the proposed Interstate Highway; thence South 33°, 43', 38" West along said R.O.W. line a distance of 1580 feet; more or less, to the Southwest Boundary of Shelton Beach Estates Subdivision; thence South 46°, 06', 22" East along the boundary of said Subdivision, a distance of 2047 feet, more or less, to the Northwest boundary of Cleveland's 7th Addition to Saraland Subdivision which is the boundary of the existing Saraland City Limits; thence North 52°, 02', 30" East along the boundary of said subdivision which is along the existing said City Limits a distance of 685 feet, more or less, to a corner of said City Limits; thence South 37°, 57', 30" East along said City Limits, a distance of 500 feet to the Northwest R.O.W. line of Shelton Beach Road; thence North 52°, 02', 30" East, along said R.O.W. which is along said City Limits 250 feet to the point of beginning. Containing 118.0 acres more or less.

PROOF OF PUBLICATION

W. F. Egan being sworn, says that he is Comptroller of the Mobile Press and The Mobile Register; daily newspapers printed and published in

the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Press, June 7, 14, 21, 28, 1961.

W. F. EGAN.

Sworn to and subscribed before me this 24th day of July, 1961.

DAN E. MILLER, JR.,
Notary Public.

By Mr. Smith (Russell):

H. 1367. To provide for the furnishing of transcripts of evidence for appeals in criminal cases where defendant, appellant is indigent; to state the purposes of this act; to define the criminal cases to which this act is applicable; to prescribe the manner in which and time within which an indigent defendant, appellant may petition the trial court to order a transcript of the evidence to be prepared; to prescribe the contents and form of said petition; to prescribe the manner of proceeding by the trial court or trial judge upon said petitions; to prescribe for the disposition of said petitions by the trial court; to provide for and prescribe the matters to be considered by the trial court in proceedings brought under the provisions of this act; to provide for and prescribe the conditions under which the trial court may order all or a part of the transcript of the evidence to be prepared by the court reporter and to provide for the trial court to make and enter an order under certain circumstances authorizing the payment to the court reporter of all or a part of his fees for preparing such transcript, and to provide that said payment to the court reporter be paid out of the general fund of the State treasury, and to require the defendant, appellant to pay for part of the cost of transcribing if he is able; to provide for this act to be applicable in certain appeals now pending in other cases wherein defendant, appellant cannot otherwise comply with all of the provisions of this act, particularly the time for filing a petition; to prescribe the time within which defendant, appellant may file a petition under the provisions of this act; to provide for a review of a denial by the trial court for a petition filed under the provisions of this act for a transcription of the evidence; to provide for judgment to be entered against an unsuccessful defendant, appellant on appeal to pay the costs or fees of the court reporter paid by the State for transcribing evidence, and that such costs so paid be paid into the general fund of the State, and to provide further for an additional sentence of hard labor for the county or imprisonment in the penitentiary at a certain rate if such payment is not made by defendant, appellant, and to provide further for reimbursement to the general fund of the State by the county or from the funds of the Board of Corrections when the costs or fees of the court reporter for transcribing the evidence of an unsuccessful defendant, appellant have been paid by the State and not paid by the defendant, appellant and when defendant, appellant is sentenced to hard labor for the county or imprisonment in the penitentiary at the prescribed rate to pay said costs or fees of the court reporter; to authorize the Supreme Court with the advice and consultation of the Court of Appeals to adopt rules and regulations to accomplish the purposes of this act; and to appropriate out of the general fund of the State treasury not otherwise appropriated an amount sufficient to pay said court reporters and to carry out the provisions of this act, said appropriation being subject before disbursement to the approval of the Governor and contingent upon the condition of the State treasury.

Judiciary.

By Messrs. Smith (Russell) and Turnham:

H. 1368. To make an appropriation to the State Board of Education for the purchase of certain audio-visual materials and equipment as herein defined, to be used in the public schools, and in State supported institutions of higher learning engaged in teacher education; to provide for dissemination of information and research necessary to insure adequate utilization of equipment and materials purchased; to provide for, define the duties of, and to limit the expenditures of a State Audio-Visual Advisory Council.

Ways and Means.

STATE OF ALABAMA
HOUSE OF REPRESENTATIVES

RESOLUTION

The following resolution was introduced:

By Messrs. Turnham and Torbert:

H. J. R. 87. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING:

WHEREAS, Edward O. Jones, a resident of Lee County, Alabama, departed this life on May 26, 1961; and

WHEREAS, Mr. Jones has served the State of Alabama in a devoted and capable manner since February 1, 1935 in his capacity as an Examiner of Public Accounts until his recent retirement prior to his death; and

WHEREAS, his friends, associates, and particularly the public officials of the State and counties whom he served so faithfully will sorely miss the advice, counsel and guidance furnished them by Mr. Jones; and

WHEREAS, the State of Alabama has lost one of its most faithful, conscientious, devoted and capable employees:

NOW, THEREFORE, BE IT RESOLVED by the Legislature of Alabama that the Legislature mourns the death of Mr. Jones and extends to the members of his family its sincere sympathy;

BE IT FURTHER RESOLVED that this resolution be spread upon the Journals of both houses of the Legislature and that a copy thereof be sent to his surviving widow, Mrs. Maude S. Jones, Auburn, Alabama.

On motion of Mr. Turnham the rules were suspended and H. J. R. 87 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Archer:

S. 327. To alter and rearrange the boundaries of the City of Huntsville so as to annex certain territory to the city.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MADISON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter and rearrange the boundaries of the City of Huntsville so as to annex certain territory to the city.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the City of Huntsville are hereby altered and rearranged so as to embrace within the corporate limits of said city the unincorporated territory hereinafter described lying in Madison County, together with the territory heretofore incorporated within the corporate limits and boundary lines of the city, to-wit:

Tract One: All that part of the Northwest quarter of Section 11, Township 3 South, Range 1 West of the Huntsville Meridian, Madison County, Alabama, more particularly described as beginning at a point in the center of Winchester Road, said point is the center of the west boundary of said Section 11; thence North 0 degrees 43 minutes West 2629.50 feet to a point; thence North 89 degrees 23 minutes East 1681.91 feet to a point; thence South 0 degrees 24 minutes East 2641.50 feet to a point in the center of said Winchester Road; thence due West along said center of Winchester Road 1667.45 feet to the place of beginning and containing 101.1 acres, more or less.

Tract Two: All that part of the northwest quarter of Section 32, Township 4, South, Range 1 East, of the Huntsville Meridian, Madison County, Alabama; particularly described as beginning at a point on the north boundary of said Section 32, said point is further described as being south 89 degrees 45 minutes east 295.2 feet from the northwest corner of said Section 32; thence from the place of beginning south 89 degrees 45 minutes east along the north boundary of said Section 32, Township 4 South, Range 1 East, 2369.8 feet to a point; on the east boundary of the northwest quarter of said Section 32; thence south 0 degrees 54 minutes west along the east boundary of the northwest quarter of said Section 32, 1328.7 feet to a point; thence north 89 degrees 28 minutes west 1122.11 feet to a point which is the northeast corner of Dellwood Heights Subdivision, Huntsville,

Alabama; thence north 89 degrees 43 minutes west along the north boundary of said Dellwood Heights Subdivision 1531.8 feet to a point on the west boundary of the northwest quarter of said Section 32; thence north 0 degrees 25 minutes east along the west boundary of the northwest quarter of said Section 32, 1027.2 feet to a point which is the southwest corner of a 2 acre tract of land owned by J. Morris; thence south 89 degrees 45 minutes east 295.2 feet to a point; thence north 0 degrees 25 minutes east 295.2 feet to the place of beginning and containing 79.28 acres, more or less.

Tract Three: All that part of the northwest quarter of Section 32, Township 4 South, Range 1 East, of the Huntsville Meridian, Madison County, Alabama particularly described as beginning at the northwest corner of said Section 32, thence south 89 degrees 45 minutes east along the north boundary of said Section 32, 295.2 feet to a point; thence south 0 degrees 25 minutes west 295.2 feet to a point; thence north 89 degrees 45 minutes west 295.2 feet to a point on the west boundary of said Section 32; thence north 0 degrees 25 minutes east along the west boundary of said Section 32, 295.2 feet to the place of beginning and containing 2.0 acres, more or less.

Tract Four: All that part of Section 32, Township 4 South, Range 1 East of the Huntsville Meridian, Madison County, Alabama, particularly described as beginning at an iron stake in a North South fence line; said point of true beginning is further described as being South 3 degrees, 03 minutes, 50 seconds West 10.5 feet from the Southeast corner of Lot 37 of Dellwood Heights Subdivision as recorded in Plat Book 1, page 313, Probate Records, Madison County, Alabama; thence from the point of true beginning South 85 degrees, 31 minutes, 38 seconds East 295.83 feet to an iron stake; thence North 0 degree, 51 minutes East 1061.58 feet to an iron stake; thence North 89 degrees, 26 minutes, 24 seconds West 254.96 feet to an iron stake; thence South 3 degrees, 03 minutes, 50 seconds West 1042.36 feet to point of beginning, and containing 6.64 acres, more or less.

Tract Five: All that part of the Northwest Quarter of Section 32, Township 4 South, Range 1 East of the Huntsville Meridian, Madison County, Alabama:

More particularly described as beginning at the Southeast corner of Lot 31 of Dellwood Heights Subdivision as recorded in Plat Book 1, page 313, Probate Records, Madison County, Alabama; thence from the point of beginning North 89 degrees 59 minutes east along the North boundary of Lot 32 of said Dellwood Heights Subdivision 253.0 feet to a point on the East boundary of said Dellwood Heights Subdivision; thence North 1 degree 55 minutes East along the East boundary extended North of said Dellwood Heights Subdivision 382.36 feet to a point; thence North 89 degrees 28 minutes West 253.0 feet to the Northeast corner of Lot 30 of said Dellwood Heights Subdivision; thence South 1 degree 55 minutes West along the East boundaries of Lots 30 and 31 of said Dellwood Heights Subdivision 383.9 feet to the point of beginning and containing 2.2 acres, more or less.

Section 2. This Act shall take effect October 1, 1961.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Lewis, who, being by me first

duly sworn, deposes and says that during the times herein mentioned he was Secretary-Treasurer of the Huntsville Times, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 26, May 3, May 10, and May 17, all in the year 1961.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me May 18, 1961.

OPAL H. DILWORTH,
Title Notary Public.

Also:

By Mr. Caffey:

S. 376. To amend Title 17, Section 27 of the Code of Alabama of 1940 as amended relative to special registration.

Also:

By Mr. Caffey:

S. 377. To repeal Act No. 186, H. 344, approved July 2, 1953, entitled "To provide an additional and alternative method of assessing, paying taxes on and issuing license tags for motor vehicles, in counties having a population of 150,000 or more according to the 1950 or any succeeding Federal decennial census." (Acts of Alabama 1953, page 238).

Also:

By Mr. Caffey:

S. 378. To provide an additional and alternative method of assessing, paying taxes on and issuing license tags for motor vehicles, in counties having a population of 300,000 or more according to the last or any subsequent Federal census.

Also:

By Mr. Caffey:

S. 385. To repeal Act No. 185, H. 570, approved June 23, 1945, entitled "An Act Providing, in all counties having a population of not less than 140,000 and not more than 400,000 population according to the last or any subsequent federal census, for the preparation by the board of registrars of lists of registered voters, the correction of such lists, and the certification of such lists to the judge of the probate court in all cases where any new precinct, voting district or ward is created or divided by any county, city or town; Providing for the calling of the board of registrars into session; Providing for the publishing of the lists of such voters; Providing for the alteration of the records in the office of the probate judge to conform to the lists; Providing for the employment and the fixing of salaries of all necessary clerks or assistants of the board of registrars and the payment of all expenses incurred in connection with this act; Fixing the salaries of the members of the board of registrars and providing for their payment; Providing that all provisions of this act shall be inde-

pendent and separable; Repealing all laws or parts of laws in conflict herewith, and fixing the effective date of this act." (Acts of Alabama 1945, page 313).

Also:

By Mr. Caffey:

S. 386. An Act providing, in all counties having a population of not less than 300,000 and not more than 500,000 population according to the last or any subsequent federal census, for the preparation by the board of registrars of lists of registered voters, the correction of such lists, and the certification of such lists to the judge of the probate court in all cases where any new precinct, voting district or ward is created or divided by any county, city or town; Providing for the calling of the board of registrars into session; Providing for the publishing of the lists of such voters; Providing for the alteration of the records in the office of the probate judge to conform to the lists; Providing for the employment and the fixing of salaries of all necessary clerks or assistants of the board of registrars and the payment of all expenses incurred in connection with this act; Fixing the salaries of the members of the board of registrars and providing for their payment; Providing that all provisions of this act shall be independent and separable; Repealing all laws or parts of laws in conflict herewith, and fixing the effective date of this act.

Also:

By Mr. Caffey:

S. 392. To repeal Act No. 22, H. 73, approved May 26, 1955 entitled "To apply in all counties having a population of not less than 230,000 nor more than 500,000 inhabitants, according to the last or any subsequent federal decennial census; to fix the compensation of the commissioner of licenses in all such counties." (Acts of Alabama 1955, page 233).

Also:

By Mr. Caffey:

S. 394. To repeal Act No. 17, H. 19, approved March 23, 1955 entitled "To extend the term of office of Commissioner of Licenses in all counties of this State having a population of not less than 230,000 nor more than 400,000, according to the last or any subsequent Federal census, for a period of two years from the expiration of their present term of office; to provide how, when and for what term of office their successors shall be elected and to repeal only those laws, or parts of law, which are in conflict herewith." (Acts of Alabama 1955, page 126).

Also:

By Mr. Caffey:

S. 391. To repeal Act No. 245, H. 343, approved June 26, 1945, entitled "To create the office of Commissioner of Licenses in all counties of this State having a population of not less than 140,000, nor more than 400,000, according to the last or any subsequent Federal census; to provide for the method of electing said officer; to fix his term of office; to fix his compensation; to prescribe his duties and define his powers; to provide for the appointment of a Deputy Commissioner of Licenses and for the appointment of necessary clerical assistants in said office; and to further provide

that said Commissioner of Licenses shall issue all licenses, except marriage licenses, assess for taxation, collect the ad valorem taxes, issue the licenses and distribute the tags on all motor vehicles in such counties; to transfer the duties from the Tax Assessor, Tax Collector and Judge of Probate in such counties to said Commissioner of Licenses of all matters relative to the registration, assessment for taxes, collection of ad valorem taxes and distribution of tags for motor vehicles, and the issuances of all licenses, except marriage licenses." (Acts of Alabama 1945, page 367).

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 327. Local Legislation No. 1.
- S. 376. Local Legislation No. 1.
- S. 377. Local Legislation No. 1.
- S. 378. Local Legislation No. 1.
- S. 385. Local Legislation No. 1.
- S. 386. Local Legislation No. 1.
- S. 392. Local Legislation No. 1.
- S. 394. Local Legislation No. 1.
- S. 391. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Caffey:

S. 527. To provide further for the assessment and collection of taxes and issuance of licenses in certain counties; to create the office of license commissioner in all counties having populations of not less than 300,000 nor more than 500,000, according to the 1960 or any subsequent federal decennial census; to provide for the appointment of the first license commissioner and to prescribe the manner of electing his successors; to fix the term of office and compensation of the license commissioner; to prescribe his duties and define his powers; to provide for a deputy license commissioner and for other necessary clerical assistants; to provide that all licenses, except marriage licenses, issued in any county to which this Act applies, shall be issued by the license commissioner and that ad valorem taxes on motor vehicles shall be assessed and collected by such license commissioner; and to transfer the duties of issuing licenses, and assessing and collecting ad valorem taxes on motor vehicles from officers currently performing these duties in the counties hereby affected to the license commissioner.

Also:

By Mr. Leonard:

S. 556. To apply in all counties having populations of not less than 65,000 nor more than 95,000; directing the county governing body in each such county to pay for certain radio communication equipment and for the installation of a two-way radio in the coroner's car.

Also:

By Messrs. Cooper, Wyatt, Golson, Wilson, Clark, Crawford, Webb, Word, Farmer, Turner, Barnett, Godfrey, Roberts and Leonard:

S. 219. Relating to motor vehicles; to provide for the use of only one license tag or plate; amending Code of Alabama 1940, Title 36, Section 75, and Title 51, Section 705.

Also:

By Mr. Dumas:

S. 557. To regulate further the conduct of elections in all counties having populations of 500,000 or more; amending Code of Alabama 1940, Title 17, Section 110, in relation to the use of paper ballots at certain voting places.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 527. Local Legislation No. 1.

S. 556. Local Legislation No. 1.

S. 219. Ways and Means.

S. 557. Local Legislation No. 2.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1036. To regulate the purchase of supplies, materials, equipment, and other personal property for or on behalf of Conecuh County or any of its officers, departments, agents, or instrumentalities; providing for competitive bidding on certain purchases and prescribing penalties.

Also:

H. 1037. To provide expense allowance for members and chairmen of courts of county commissioners, boards of revenue, or other like govern-

ing bodies of all counties having populations of not less than 17,400 nor more than 17,800.

Also:

H. 1038. To provide for paid leaves of absence for employees of Conecuh County.

Also:

H. 1059. To provide for the relief of Charlie Day; authorizing an appropriation from the funds of Barbour County for such purpose.

J. E. SPEIGHT,
Secretary.

ADJOURNMENT

On motion of Mr. Speaks, the House, in accordance with S. J. R. 37 heretofore adopted, adjourned until Friday, August 18, 1961, at ten o'clock A. M.

THIRTIETH DAY

House of Representatives
Montgomery, Alabama
Friday, August 18, 1961

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Howard Ellington, student, Southeastern Theological Seminary, Wake Forest, North Carolina.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Boyd	Camp	Dodd
Adams	Brannan	Casey	Dunn
Albea	Branyon	Cates	Edwards
Avery	Brewer	Chambers	Engel
Bailey	Britton	Cook	Faulk
Barnett	Broadfoot	Copeland	Ferguson
Bassett	Brooks	Cornett	Franklin
Bevill	Cabiness	Daniel	Gilchrist
Bishop	Callahan	Dickson	Gilmer

Glass	Johnson (J. T. Tom)	Nichols	Salter
Goldthwaite	Johnston (Leonard)	Oakley	Self
Goodwyn	Jones (Covington)	Oden	Sessions
Gordon	Jones (Monroe)	Owens	Shumate
Grant	Lee	Perry	Smith (Russell)
Gross	Locke	Phillips	Smith (St. Clair)
Grouby	Long (Lauderdale)	Pierce	Solomon
Guthrie	Long (Perry)	Powell	Speaks
Hain	McClendon (Chambers)	Pruitt	Steagall
Hanby	McCorquodale	Ramey	Sullivan
Hankins	McLendon (Bullock)	Rast	Taylor
Harris	Martin	Ray	Thomas
Harvey	Meade	Reynolds (Chambers)	Torbert
Hawkins	Merrill	Reynolds (Madison)	Trimmier
Hearn	Morrow	Roberts	Turner
Ingram	Murphy	Rogers	Turnham
Jenkins	Nettles	Rozelle	Vickers
Johnson (Hardaway)			

—105

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

Mr. Ashworth, Chairman of the Standing Committee on Rules, reported that said Committee in session, had acted on the following resolution, and ordered same returned to the House with the recommendation that it be adopted.

By Rules Committee:

H.R. 88. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES that the following matters in the order named be made special, paramount and continuing order of business, at this time, taking precedence over any other business of the House, including the pending Special Orders:

1. Reading and approval of the Journals of the House for the 25th, 26th, 27th, 28th and 29th Legislative Days.

2. Report of Standing Committees on Ways & Means and Local Legislation No. 1 and Local Legislation No. 2 and Judiciary.

And H.R. 88 was adopted.

Yeas 74; Nays 9.

Yeas:

Mr. Speaker	Britton	Faulk	Grouby
Adams	Brooks	Ferguson	Guthrie
Albea	Cabiness	Franklin	Hain
Avery	Callahan	Gilchrist	Hanby
Bailey	Camp	Gilmer	Hankins
Barnett	Casey	Glass	Harvey
Bevill	Copeland	Goldthwaite	Hawkins
Bishop	Cornett	Gordon	Ingram
Boyd	Daniel	Grant	Jenkins
Branyon	Engel	Gross	Johnson (J. T. Tom)

Johnston (Leonard)	Murphy	Pruitt	Smith (St. Clair)
Jones (Covington)	Nettles	Ramey	Speaks
Jones (Monroe)	Nichols	Rast	Sullivan
Lee	Oakley	Ray	Taylor
McClendon (Chambers)	Oden	Reynolds (Madison)	Thomas
McCorquodale	Owens	Self	Torbert
McLendon (Bullock)	Phillips	Shumate	Trimmier
Martin	Pierce	Smith (Russell)	Vickers
Meade	Powell		

—74

Nays:

Messrs.	Cates	Long (Lauderdale)	Sessions
Brewer	Dodd	Morrow	Turnham
Broadfoot	Locke		

—9

JOURNAL FOR THE TWENTY-FIFTH LEGISLATIVE DAY APPROVED

On motion of Mr. Pruitt, reading of the Journal of the House for the twenty-fifth legislative day was dispensed with, and the report of the Standing Committee on Rules set out in the Journal of the House on the twenty-ninth legislative day was concurred in and adopted, and the Journal of the House for the twenty-fifth legislative day was approved.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twenty-sixth legislative day and finds the same to be correct.

VIRGIS M. ASHWORTH,
Chairman.

On motion of Mr. Pruitt, the reading at length of the Journal of the House for the twenty-sixth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the twenty-sixth legislative day was approved.

Yeas 76; Nays 8.

Yeas:

Mr. Speaker	Britton	Faulk	Hain
Adams	Brooks	Ferguson	Hankins
Albea	Cabiness	Franklin	Harris
Avery	Callahan	Gilchrist	Harvey
Bailey	Camp	Gilmer	Ingram
Barnett	Casey	Glass	Jenkins
Bassett	Chambers	Goldthwaite	Johnston (Leonard)
Bevill	Cook	Gordon	Jones (Covington)
Boyd	Daniel	Gross	Jones (Monroe)
Brannan	Dunn	Grouby	Lee
Branyon	Engel	Guthrie	McClendon (Chambers)

McLendon (Bullock)	Owens	Rozelle	Sullivan
Martin	Phillips	Self	Taylor
Meade	Pierce	Shumate	Thomas
Murphy	Powell	Smith (Russell)	Torbert
Nettles	Pruitt	Smith (St. Clair)	Trimmier
Nichols	Ray	Solomon	Turner
Oakley	Reynolds (Madison)	Speaks	Vickers
Oden	Rogers	Steagall	Ramey

—76

Nays:

Messrs.	Cates	Locke	Morrow
Brewer	Dodd	Long (Lauderdale)	Rast
Broadfoot			

—8

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twenty-seventh legislative day and finds the same to be correct.

VIRGIS M. ASHWORTH,
Chairman.

On motion of Mr. Pruitt, the reading at length of the Journal of the House for the twenty-seventh legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the twenty-seventh legislative day was approved.

Yeas 73; Nays 11.

Yeas:

Mr. Speaker	Dunn	Jenkins	Ramey
Adams	Engel	Johnston (Leonard)	Ray
Avery	Ferguson	Jones (Covington)	Reynolds (Madison)
Bailey	Franklin	Lee	Rogers
Barnett	Gilchrist	McClendon (Chambers)	Rozelle
Bevill	Gilmer	McCorquodale	Self
Bishop	Glass	McLendon (Bullock)	Shumate
Boyd	Goldthwaite	Martin	Smith (Russell)
Brannan	Gordon	Meade	Smith (St. Clair)
Branyon	Grant	Murphy	Solomon
Britton	Gross	Nettles	Speaks
Brooks	Guthrie	Nichols	Steagall
Cabiness	Hain	Oakley	Sullivan
Callahan	Hanby	Owens	Taylor
Casey	Hankins	Phillips	Thomas
Chambers	Harris	Pierce	Torbert
Copeland	Harvey	Powell	Trimmier
Cornett	Ingram	Pruitt	Vickers
Daniel			

—73

Nays:

Messrs.	Camp	Jones (Monroe)	Morrow
Brewer	Cates	Locke	Oden
Broadfoot	Dodd	Long (Lauderdale)	Sessions

—11

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twenty-eighth legislative day and finds the same to be correct.

VIRGIS M. ASHWORTH,
Chairman.

On motion of Mr. Pruitt, the reading at length of the Journal of the House for the twenty-eighth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the twenty-eighth legislative day was approved.

Yeas 74; Nays 16.

Yeas:

Mr. Speaker	Dunn	Jenkins	Ramey
Avery	Engel	Johnson (J. T. Tom)	Ray
Bailey	Faulk	Johnston (Leonard)	Reynolds (Madison)
Barnett	Ferguson	Jones (Covington)	Rogers
Bassett	Franklin	Lee	Rozelle
Bevill	Gilchrist	McClendon (Chambers)	Self
Bishop	Gilmer	McLendon (Bullock)	Shumate
Boyd	Glass	Martin	Smith (Russell)
Brannan	Goldthwaite	Meade	Smith (St. Clair)
Branyon	Goodwyn	Murphy	Solomon
Britton	Gordon	Nettles	Speaks
Brooks	Gross	Nichols	Steagall
Cabiness	Grouby	Oakley	Sullivan
Callahan	Hain	Owens	Taylor
Casey	Hanby	Phillips	Thomas
Chambers	Hankins	Pierce	Torbert
Copeland	Harris	Powell	Trimmier
Cornett	Harvey	Pruitt	Vickers
Daniel	Ingram		

—74

Nays:

Messrs.	Dodd	Long (Lauderdale)	Rast
Brewer	Guthrie	McCorquodale	Salter
Broadfoot	Jones (Monroe)	Morrow	Sessions
Camp	Locke	Oden	Turnham
Cates			

—16

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has

carefully examined the Journal of the House for the twenty-ninth legislative day and finds the same to be correct.

VIRGIS M. ASHWORTH,
Chairman.

The motion of Mr. Pruitt to suspend the rules in order to dispense with the reading at length of the Journal of the House for the twenty-ninth legislative day was lost.

Yeas 69; Nays 20.

Yeas:

Mr. Speaker	Daniel	Harris	Ray
Adams	Dunn	Harvey	Reynolds (Madison)
Albea	Engel	Hearn	Rogers
Avery	Faulk	Ingram	Rozelle
Bailey	Ferguson	Jenkins	Self
Barnett	Franklin	Johnson (J. T. Tom)	Shumate
Bassett	Gilchrist	Johnston (Leonard)	Smith (Russell)
Bevill	Gilmer	Lcc	Smith (St. Clair)
Boyd	Glass	McClendon (Chambers)	Solomon
Brannan	Goldthwaite	McLendon (Bullock)	Speaks
Branyon	Goodwyn	Nettles	Steagall
Britton	Gordon	Nichols	Sullivan
Brooks	Grant	Oakley	Taylor
Cabiness	Gross	Owens	Thomas
Callahan	Grouby	Phillips	Torbert
Casey	Hain	Pierce	Turner
Chambers	Hankins	Pruitt	Vickers
Cornett			

—69

Nays:

Messrs.	Dodd	Locke	Murphy
Brewer	Guthrie	Long (Lauderdale)	Oden
Broadfoot	Hanby	McCorquodale	Powell
Camp	Jones (Covington)	Meade	Salter
Cates	Jones (Monroe)	Morrow	Trimmier
Copeland			

—20

READING OF JOURNAL

The Speaker directed the Clerk to read the Journal of the House for the twenty-ninth legislative day, and the reading commenced.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Smith (St. Clair) to suspend the rules in order to introduce a resolution out of order was adopted.

RESOLUTION

The following resolution was introduced:

By Mr. Smith (St. Clair):

H. J. R. 89. WHEREAS, the State of Alabama is richly endowed with

many scenic, historic, prehistoric, archaeologic and natural features; and,

WHEREAS, among the many interesting and scenic areas is a rocky wonder, atop Chandler Mountain in St. Clair County known locally as Horse Pens 40; and

WHEREAS, this spot abounds with lore of the early days of Alabama, the secluded rocks and crevices furnishing a cache for the Indians, the natural rock formations providing them with a perfect horse corral which was later used by the white man, and the overhanging bluffs providing a shelter for the domestic animals and a sure fortress for their owners in times of strong winds that swept across the high mountains; and,

WHEREAS, through the efforts of Horse Pens 40 Incorporated the majestic beauty of the rock formations, the magnificent view of the surrounding area, the evidences of the history and culture of our early settlers hidden away in the mountain side, which had not been fully explored for more than a century, have been made accessible to the public; and

WHEREAS, Horse Pens 40 Incorporated by advertising this area has attracted many visitors to Alabama; now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING:

That the Legislature of Alabama heartily commends the Horse Pens 40 organization for its dedicated work in advertising one of our natural wonders, attracting and encouraging peoples from other states and countries to visit Alabama and thereby promoting the recreational and economic development of the State.

Be it further resolved that a copy of this resolution be transmitted to Horse Pens 40 Incorporated, 2908 Morgan Street, Huntsville, Alabama

On motion of Mr. Smith (St. Clair) the rules were suspended and H. J. R. 89 was adopted.

JOURNAL FOR THE TWENTY-NINTH LEGISLATIVE DAY APPROVED

The motion of Mr. Hanby to suspend the rules in order to dispense with further reading of the Journal of the House for the twenty-ninth legislative day was adopted, and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the twenty-ninth legislative day was approved.

Yeas 77; Nays 11.

Yeas:

Mr. Speaker	Bishop	Brooks	Copeland
Albea	Boyd	Cabiness	Cornett
Bailey	Brannan	Callahan	Daniel
Barnett	Branyon	Camp	Dunn
Bassett	Brewer	Cates	Faulk
Bevill	Britton	Chambers	Ferguson

Franklin	Harvey	Merrill	Self
Gilchrist	Hearn	Nettles	Smith (Russell)
Gilmer	Ingram	Nichols	Smith (St. Clair)
Glass	Jenkins	Oakley	Solomon
Goldthwaite	Johnson (J. T. Tom)	Owens	Speaks
Goodwyn	Johnston (Leonard)	Phillips	Steagall
Gordon	Jones (Monroe)	Pierce	Sullivan
Grant	Lee	Powell	Taylor
Gross	McClendon (Chambers)	Pruitt	Thomas
Grouby	McCorquodale	Ray	Torbert
Guthrie	McLendon (Bullock)	Reynolds (Madison)	Trimmier
Hain	Martin	Rogers	Turner
Hanby	Meade	Rozelle	Vickers
Harris			

—77

Nays:

Messrs.	Dodd	Long (Perry)	Ramey
Avery	Jones (Covington)	Morrow	Reynolds (Chambers)
Broadfoot	Long (Lauderdale)	Oden	Sessions

—11

MOTION IN WRITING BY MR. TAYLOR

Mr. Taylor offered the following Motion in Writing:

I hereby move that the Clerk be directed to request the Senate to return House Bill 355 to the House for further consideration.

And the Motion in Writing was adopted.

Yeas 55; Nays 31.

Yeas:

Mr. Speaker	Copeland	Hearn	Ray
Albea	Dodd	Johnson (J. T. Tom)	Reynolds (Chambers)
Bevill	Dunn	Johnston (Leonard)	Reynolds (Madison)
Bishop	Engel	Jones (Covington)	Self
Branyon	Ferguson	Long (Lauderdale)	Sessions
Broadfoot	Franklin	McClendon (Chambers)	Shumate
Brooks	Gilchrist	McCorquodale	Smith (St. Clair)
Cabiness	Glass	Meade	Speaks
Callahan	Gross	Merrill	Steagall
Camp	Grouby	Murphy	Sullivan
Casey	Guthrie	Oden	Taylor
Cates	Hanby	Owens	Trimmier
Chambers	Hankins	Phillips	Turner
Cook	Harris	Ramey	

—55

Nays:

Messrs.	Boyd	Faulk	Ingram
Adams	Brewer	Gilmer	Jones (Monroe)
Bailey	Britton	Goldthwaite	Long (Perry)
Barnett	Cornett	Grant	McLendon (Bullock)
Bassett	Daniel	Hain	Martin

Morrow	Oakley	Rast	Thomas
Nettles	Pierce	Rogers	Torbert
Nichols	Powell	Rozelle	Turnham

—31

MOTION TO SUSPEND RULES LOST

The motion of Mr. Brewer to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 1031, was lost.

Yeas 70; Nays 20.

Yeas:

Mr. Speaker	Cornett	Hankins	Phillips
Adams	Daniel	Hawkins	Pierce
Barnett	Dodd	Hearn	Pruitt
Bassett	Dunn	Jenkins	Ray
Bevill	Edwards	Johnson (J. T. Tom)	Reynolds (Madison)
Bishop	Faulk	Johnston (Leonard)	Roberts
Boyd	Ferguson	Jones (Covington)	Rozelle
Brannan	Franklin	Locke	Self
Branyon	Gilchrist	McLendon (Bullock)	Sessions
Brewer	Gilmer	Martin	Shumate
Britton	Glass	Merrill	Smith (Russell)
Broadfoot	Goldthwaite	Morrow	Smith (St. Clair)
Brooks	Gordon	Murphy	Taylor
Cabiness	Gross	Nettles	Torbert
Camp	Grouby	Nichols	Trimmier
Casey	Guthrie	Oakley	Turner
Cates	Hain	Owens	Vickers
Copeland	Hanby		

—70

Nays:

Messrs.	Engel	Meade	Rogers
Albea	Ingram	Oden	Salter
Avery	Lee	Powell	Speaks
Callahan	Long (Lauderdale)	Ramey	Steagall
Cook	McClendon (Chambers)	Reynolds (Chambers)	Thomas
Dickson			

—20

BILLS ON SECOND READING

Mr. Smith (Russell), Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 17. (with substitute). To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal year ending September 30, 1962 and September 30, 1963, including all schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, the Board of Trustees of Alabama College, the Board of

Trustees of Auburn University, the Board of Trustees of the University of Alabama, the Board of Trustees of the Alabama Institute for Deaf and Blind, the Board of Trustees of the Alabama Boys Industrial School, the Board of Trustees of the Alabama Industrial School for Negroes, the Board of Trustees of the State Training School for Girls, the Alabama Educational Television Commission, and for the Teachers' Retirement System.

Mr. Smith (Russell), Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 19. To make an appropriation for the support and maintenance of the Walker County Junior College, located at Jasper, in Walker County, Alabama.

H. 20. To make an appropriation for the support and maintenance of the Southern Industrial Institute.

H. 21. To make an appropriation for the support and maintenance of the Alabama Vocation School for Girls.

Mr. Smith (Russell), Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with amendment, and they were severally read a second time and placed on the Calendar, to-wit:

H. 22. (with amendment). To make an appropriation to the State Superintendent of Education for the purpose of contracting with Tuskegee Institute for undergraduate and graduate instruction of Alabama residents in engineering, veterinary medicine, nursing, home economics and agriculture.

H. 718. (with amendment). To make appropriations from the state treasury for support and maintenance of The Marion Institute, located in Perry County.

H. 1113. (with amendment). To authorize and provide for the establishment, maintenance, and operation of a junior college to be located in Franklin, Marion, or Winston County; to create a board of trustees to govern such college; to authorize the board of trustees to select the location for such college, name it, appoint a president and certain other officers therefor, and prescribe rules and regulations to govern the college; to constitute the college a body corporate upon compliance with certain conditions; to authorize the board of trustees to accept gifts, donations, devises, and bequests; and to buy, hold, sell or otherwise dispose of real and personal property for and in the name of the college; to authorize the governing bodies of Franklin, Marion, and Winston Counties and of each incorporated municipality in any of such counties to make appropriations of public funds in aid of the college; to authorize the board of education of each of these counties and the board of education of any incorporated municipality in these counties to use public school funds in aid of such college and to provide transportation and certain other facilities to students attending the college; to exempt from taxation the property of the college; to exempt officers and employees of the college from certain civil duties and from certain municipal privilege licenses; and to make an appropriation from the special educational trust fund for the purpose of effectuating this Act.

Mr. Smith (Russell), Chairman of the Standing Committee on Ways

and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 162. To make additional appropriations to the Board of Trustees of the University of Alabama, for mental health purposes, including payment of salaries of professional and related personnel in the Department of Psychiatry of the Medical College of Alabama, operation of the outpatient Mental Health Clinic of said college, and hospitalization of medically indigent mental patients in University Hospital and Hillman Clinics, and to make additional appropriations to the State Department of Public Health for mental health purposes, including establishment and operation of mental hygiene clinics and training and research in the field of mental health.

S. 278. For the relief of Donald M. Ward; to make an appropriation to reimburse Donald M. Ward for sums expended for medical care and treatment on account of, and to compensate for personal injuries suffered by him while acting within the line and scope of his employment with the State Highway Department.

S. 300. To amend Title 22, Section 199, Code of Alabama 1940, as amended, which relates to care and treatment of tubercular patients.

S. 156. To make additional appropriations to the state institutions for the mentally ill and the mentally deficient for the two fiscal years ending September 30, 1962 and September 30, 1963, such appropriations to be paid from the Alabama Special Mental Health Fund.

Mr. Smith (Russell), Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

S. 55. (with substitute). To authorize a program of medical assistance for persons 65 years of age and over not receiving old age pensions.

Mr. Smith (Russell), Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 1294. (with amendment). To provide further for the administration of justice; authorizing the Supreme Court of Alabama to appoint duly elected and qualified circuit court judges, supernumerary justices of the Supreme Court, and supernumerary judges of the Court of Appeals and Circuit Courts to serve as justices pro tempore of the Supreme Court; and providing for the duties, compensation, expense allowances, and periods of service of such justices pro tempore.

Mr. Smith (Russell), Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable

report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1245. To authorize, direct and require the Commissioner of Revenue to collect any sales and use taxes now or hereafter levied by the City of Brewton, Escambia County, Alabama under the provisions of any ordinance or resolution duly promulgated and adopted by the governing body of said City: and to prescribe the powers, duties and authority of the Commissioner of Revenue, the State Department of Revenue and the State Comptroller with respect to the method or procedure for collecting such taxes and remitting the proceeds thereof.

H. 664. To repeal subsection H. of Section 214, Title 26, Code of Alabama 1940, which relates to a disqualification for benefits under the unemployment compensation act (5 Code of Alabama 1955 Cumulative Pocket Part 265).

H. 1116. Making an appropriation from the state treasury for the relief of Barney Davis of Foley, Alabama.

H. 493. To amend further Section 2 of Title 51, Code of Alabama 1940, in relation to the amount of property of blind persons exempted from ad valorem taxation.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 160. To repeal Act No. 343, H. 540, approved June 30, 1943, an act relating to the issuance of building permits and applying in certain counties classified on a population basis (Gen. Acts 1943, p. 324).

H. 1315. To propose an amendment to the Constitution providing for the levy and collection of an additional property tax for educational purposes in Jackson County.

The above bill was read a second time at length as required by the Constitution.

H. 1344. Proposing an amendment to the Constitution authorizing the court of county commissioners, board of revenue, or like governing body of Bullock County to levy additional license taxes.

The above bill was read a second time at length as required by the Constitution.

H. 1345. Providing a more efficient system for the administration of the fiscal affairs and government of Clay County; abolishing the Court of County Commissioners of Clay County and creating and establishing in lieu thereof the Board of Commissioners of Clay County; providing for the organization, powers, jurisdiction, and duties of the Board of Commissioners, and for the qualifications, election, and compensation of its members; and further regulating the county's purchasing procedures and highway operations.

H. 1346. Relating to the levy of additional taxes for certain purposes in Clay County; authorizing the court of county commissioners, board of revenue, or other like governing body of the county to levy, when approved at a referendum election, special county privilege license and excise taxes paralleling state sales and use taxes as provided for in Act No. 100, H. 94, approved August 18, 1959, and Article 11 of Chapter 20, Title 51, Code of Alabama 1940, as heretofore amended and supplemented; providing for collection and enforcement of such taxes by the state department of revenue.

H. 1352. To provide expense allowances for county superintendents of education of all counties having populations of not less than 31,000 nor more than 32,000.

H. 1354. To provide additional revenue for educational purposes and for general county revenue purposes in Winston County; authorizing the court of county commissioners, board of revenue, or like county governing body, to levy, when approved at a referendum election, special county privilege license and excise taxes similar to state sales and use taxes as provided for in Act No. 100, H. 94, approved August 18, 1959, and in Article 11 of Chapter 20, Title 51, Code of Alabama 1940, as heretofore amended and supplemented; specifying sales and transactions that are exempt from the tax; specifying property, the use, storage or other consumption of which is exempt from the excise tax; providing for collection and enforcement of such taxes by the state department of revenue.

H. 1359. For the relief of John T. Lancaster, authorizing and requiring the county governing body of Tuscaloosa County, Alabama, to make an appropriation from the county treasury to compensate the said John T. Lancaster for certain damages.

H. 1360. To propose a constitutional amendment relative to levying additional taxes in Jackson County for acquiring, constructing and maintaining a vocational trade school and for rural and industrial development of the county.

The above bill was read a second time at length as required by the Constitution.

H. 1362. To prohibit the taking of fish from the public waters of counties having populations of not less than 36,600 nor more than 37,600, with hoop and fyke nets, gill nets, trammel nets, or any other kind of commercial fishing gear except setlines, trotlines, and snaglines.

H. 1363. To amend Section 2 of an act of the Legislature of Alabama being Local Act No. 102 approved June 3, 1943, page 59 of the Local Acts of 1943, entitled: "To authorize the Sheriff of Mobile County, Alabama, to select and appoint an attorney to advise and counsel him on the operation of such office and to handle all legal matters pertaining to said office; to provide for the manner of the appointment of such attorney, the term of office of such attorney; to provide for the salary of such attorney and the method of payment of such salary."

H. 1364. Regulating the practice of barbering; prescribing the terms upon which licenses may be issued to practitioners of barbering, including students and apprentices; regulating barber shops, barber schools and instructors; providing for the appointment of a County Board of Barber

Commissioners, and defining the duties of said Board; prescribing fees; defining certain misdemeanors and providing penalties for violation thereof in all counties having a population of not less than 300,000 nor more than 500,000 inhabitants according to the last or any subsequent federal decennial census.

H. 1365. Relating to the City of Mobile, Alabama; to provide for the creation of the Mobile Tree Commission, to provide for the membership of such Commission, and the method of appointment and term of such commissioners; to provide the officers of the Commission; to provide the powers, duties and obligations of the Commission; to provide that no person shall cut, trim, or in any way damage any tree in any street right-of-way in the City of Mobile without prior written approval by the Commission; to provide that any violation of this Act shall be a misdemeanor and to provide the penalty for such violation and to provide for appeal from the decisions of the Commission.

S. 327. To alter and rearrange the boundaries of the City of Huntsville so as to annex certain territory to the city.

S. 376. To amend Title 17, Section 27 of the Code of Alabama of 1940 as amended relative to special registration.

S. 377. To repeal Act No. 186, H. 344, approved July 2, 1953, entitled "To provide an additional and alternative method of assessing, paying taxes on and issuing license tags for motor vehicles, in counties having a population of 150,000 or more according to the 1950 or any succeeding Federal decennial census." (Acts of Alabama 1953, page 238).

S. 378. To provide an additional and alternative method of assessing, paying taxes on and issuing license tags for motor vehicles, in counties having a population of 300,000 or more according to the last or any subsequent Federal census.

S. 385. To repeal Act No. 185, H. 570, approved June 23, 1945, entitled "An Act Providing, in all counties having a population of not less than 140,000 and not more than 400,000 population according to the last or any subsequent federal census, for the preparation by the board of registrars of lists of registered voters, the correction of such lists, and the certification of such lists to the judge of the probate court in all cases where any new precinct, voting district or ward is created or divided by any county, city or town; Providing for the calling of the board of registrars into session; Providing for the publishing of the lists of such voters; Providing for the alteration of the records in the office of the probate judge to conform to the lists; Providing for the employment and the fixing of salaries of all necessary clerks or assistants of the board of registrars and the payment of all expenses incurred in connection with this act; Fixing the salaries of the members of the board of registrars and providing for their payment; Providing that all provisions of this act shall be independent and separable; Repealing all laws or parts of laws in conflict herewith, and fixing the effective date of this act." (Acts of Alabama 1945, page 313).

S. 386. An Act providing, in all counties having a population of not less than 300,000 and not more than 500,000 population according to the last or any subsequent federal census, for the preparation by the board of registrars of lists of registered voters, the correction of such lists, and the

certification of such lists to the judge of the probate court in all cases where any new precinct, voting district or ward is created or divided by any county, city or town; Providing for the calling of the board of registrars into session; Providing for the publishing of the lists of such voters; Providing for the alteration of the records in the office of the probate judge to conform to the lists; Providing for the employment and the fixing of salaries of all necessary clerks or assistants of the board of registrars and the payment of all expenses incurred in connection with this act; Fixing the salaries of the members of the board of registrars and providing for their payment; Providing that all provisions of this act shall be independent and separable; Repealing all laws or parts of laws in conflict herewith, and fixing the effective date of this act.

S. 508. To alter or rearrange the boundary lines of the City of Pell City, St. Clair County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits, and also certain other territory in St. Clair County, Alabama.

S. 511. To provide further for selection of textbooks for use in junior and senior high schools in counties having populations of not less than 150,000 nor more than 300,000; amending Section 12 of Act No. 412, S. 261, Regular Session 1945.

S. 512. To amend Sections 7, 9 and 11 of Act No. 328, H. 854, approved October 29, 1959, An Act to create in the City of Tuscaloosa, Alabama, a fund to be known as the Firemen's and Policemen's Pension and Relief Fund, so as to require additional contribution to the fund by each fireman and policeman eligible to participate in the fund; to require additional contribution to the fund out of the treasury of the city; to permit the board of trustees of the fund to employ an agent or investment counselor; to direct periodic actuarial studies of the fund; and to authorize additional investments of a portion of the fund.

S. 513. To alter the corporate limits of the City of Tuscaloosa, Alabama, and to rearrange and define the boundaries thereof.

S. 514. To alter the corporate limits of the City of Tuscaloosa, Alabama, and to rearrange and define the boundaries thereof.

S. 515. To repeal Section 56 of Title 17, Code of Alabama 1940, which relates to meetings of, clerical assistants for and the salary or compensation of the members of the boards of registrars in counties having populations of more than 300,000.

S. 516. To repeal Act No. 171, H. 441, approved June 17, 1943, entitled, "An Act to provide for the disposition, in all counties of this State which, according to the last Federal census, or any subsequent Federal census, having a population of 300,000 or more of all fines, forfeitures and costs which hereafter may be paid by any person or persons convicted in any court of competent jurisdiction in such counties of violations of the rules and regulations promulgated by the State Highway Commission concerning the operation of motor vehicles upon the highways of this State, and of violations of the Alabama Highway Code, where the persons thus convicted have been arrested by the Sheriff, or his deputies, or by any other county or municipal law enforcement officer, qualified to make such arrests in such counties," (General Acts of Alabama 1943, p. 157).

S. 517. To repeal Act No. 668, H. 760, approved October 8, 1947, entitled, "An Act to provide for the registration of voters and purging registration lists in counties having a population of 300,000 or more according to the last or any subsequent federal census; and to provide for the compensation of the chairman and members of the Board of Registrars in such counties; and to provide for employment of clerical or secretarial employees under the provisions of the county Merit System Act," (General Acts of Alabama 1947, p. 509).

S. 526. To Amend Act No. 111, H. 419, approved June 30, 1955 (Acts of Alabama, 1955, p. 356), entitled "An Act To fix the salary of the tax collector of Mobile County, and to regulate the payment thereof."

S. 528. To amend Act No. 366, H. 73, Regular Session 1959, an act relating to the selecting of juries and alternate jurors in criminal cases in the circuit courts of counties having populations of not less than 200,000 nor more than 400,000 (Acts of Alabama 1959, vol. 2, p. 955).

S. 529. To propose an amendment to the Constitution of Alabama authorizing certain funds derived from the school taxes levied in Calhoun County pursuant to the provisions of that certain amendment to the Constitution proposed by Act No. 587 enacted at the 1947 Regular Session of the Legislature of Alabama to be used for public school purposes generally; authorizing the refunding of any bonds now outstanding or hereafter issued under the provisions of said amendment or of the amendment proposed hereby; authorizing the issuance of bonds for the combined purposes of so refunding any such bonds and acquiring, constructing and improving public school buildings; providing that any bonds issued under said amendment or under the amendment proposed hereby shall be negotiable instruments and legal investments for trust funds; and providing that bonds may be issued under the amendment proposed hereby without a further election and without being chargeable to the constitutional debt limit of the issuing political subdivision.

The above bill was read a second time at length as required by the Constitution.

S. 533. Proposing an amendment to the Constitution of Alabama relative to levying special school taxes in Clay County.

The above bill was read a second time at length as required by the Constitution.

S. 537. To repeal Act No. 187, S. 339, approved June 29, 1951, as amended, creating a firemen and policemen's pension and relief fund in cities having a population of not less than 45,000 nor more than 54,000 inhabitants according to the preliminary count as of April 1, 1951 of the latest federal census or which shall have such population according to any such census that may be taken hereafter, (Acts of Alabama 1950-51, p. 438).

S. 538. To repeal Act No. 509, S. 570, approved August 22, 1951, entitled "An Act Relating to cities having a population of not less than 35,000 nor more than 55,000 inhabitants; authorizing such cities to levy and collect privilege license taxes on the sale of malt or brewed beverages within their police jurisdictions at the same rate as such taxes are levied within their corporate limits," (Acts of Alabama 1950-51, p. 900).

S. 539. To repeal Act No. 384, S. 286, approved November 6, 1959, entitled "An Act Relating to municipalities having a population of not less than 40,000 nor more than 50,000, according to the last or any subsequent federal decennial census; providing optional forms of government which may be adopted by such municipalities; and providing the method by which any such municipality may adopt such an optional form of municipal government," (Acts of Alabama 1959, vol. 2, p. 999).

S. 540. Relating to municipalities having a population of not less than 60,000 nor more than 70,000, according to the 1960 or any subsequent federal decennial census; providing optional forms of government which may be adopted by such municipalities; and providing the method by which any such municipality may adopt such an optional form of municipal government.

S. 549. To provide for the relief of John M. Ward of Winston County; authorizing and directing the board of revenue, court of county commissioners, or other like governing body of Winston County to compensate John M. Ward for damages sustained when his truck was involved in a collision with a county vehicle.

S. 550. To provide for the relief of John Lockhart of Winston County; authorizing and directing the board of revenue, court of county commissioners, or other like governing body of Winston County to compensate John Lockhart for personal injuries and other damages sustained by him in connection with a collision in which a county vehicle was involved.

S. 551. To amend further Act No. 539, S. 253, approved July 23, 1931, providing for a board of education for Winston County (Local Acts of Alabama 1931, p. 257) so as to provide further for the manner of election of such board; to prescribe their term of office; and to provide for selection of a chairman of the board.

S. 552. To confer upon the circuit solicitor and other solicitors in all counties having a population of not less than 100,000 nor more than 115,000 inhabitants according to the last or any subsequent federal decennial census the power to take oaths in support of complaints and to issue warrants in all criminal cases in such counties.

Mr. Hawkins, Vice-Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 518. To provide for the disposition, in all counties of this State which, according to the 1960 federal census, or any subsequent federal census, have a population of 500,000 or more of all fines, forfeitures and costs which hereafter may be paid by any person or persons convicted in any court of competent jurisdiction in such counties of violations of the rules and regulations promulgated by the state highway department concerning the operation of motor vehicles upon the highways of this State, and of violations of the Alabama highway laws, where the persons thus convicted have been arrested by the sheriff, or his deputies, or by any other county or municipal law enforcement officer, qualified to make such arrests in such counties.

S. 519. To amend Act No. 529, H. 898, of the Regular Session of 1953, which relates to authority of the county board of education in counties of certain populations.

S. 520. To amend Act No. 530, H. 897, of the Regular Session of 1953, which relates to the authority of the city board of education in counties of certain populations.

S. 557. To regulate further the conduct of elections in all counties having populations of 500,000 or more; amending Code of Alabama 1940, Title 17, Section 110, in relation to the use of paper ballots at certain voting places.

H. 816. To alter, rearrange and extend the boundaries of the City of Bessemer, Alabama, so as to include within the corporate limits thereof certain additional territory in Section 34, Township 18 South, Range 4 West, Jefferson County, Alabama.

Mr. Gilchrist, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1355. Proposing an amendment to Article VIII, Section 181, as amended, of the Constitution of Alabama, in relation to voter registration requirements and questionnaires.

The above bill was read a second time at length as required by the Constitution.

H. 1357. Further regulating the registration of voters in Alabama; prescribing qualifications for registering and voting and providing for the determination thereof; creating the state board of examiners for voter registration, and prescribing its powers and duties; providing for the appointment and removal of the members of this board and prescribing their duties, powers, terms, and compensation; providing for the appointment of an executive secretary of the board, and regulating his duties, powers, tenure and compensation; prescribing penalties; and repealing conflicting legislation.

H. 1367. To provide for the furnishing of transcripts of evidence for appeals in criminal cases where defendant, appellant is indigent; to state the purposes of this act; to define the criminal cases to which this act is applicable; to prescribe the manner in which and time within which an indigent defendant, appellant may petition the trial court to order a transcript of the evidence to be prepared; to prescribe the contents and form of said petition; to prescribe the manner of proceeding by the trial court or trial judge upon said petitions; to prescribe for the disposition of said petitions by the trial court; to provide for and prescribe the matters to be considered by the trial court in proceedings brought under the provisions of this act; to provide for and prescribe the conditions under which the trial court may order all or a part of the transcript of the evidence to be prepared by the court reporter and to provide for the trial court to make and enter an order under certain circumstances authorizing the payment to the court reporter of all or a part of his fees for preparing such transcript, and to provide that said payment to the court reporter be paid out of the general fund of the State treasury, and to require the defendant,

appellant to pay for part of the cost of transcribing if he is able; to provide for this act to be applicable in certain appeals now pending in other cases wherein defendant, appellant cannot otherwise comply with all of the provisions of this act, particularly the time for filing a petition; to prescribe the time within which defendant, appellant may file a petition under the provisions of this act; to provide for a review of a denial by the trial court for a petition filed under the provisions of this act for a transcription of the evidence; to provide for judgment to be entered against an unsuccessful defendant, appellant on appeal to pay the costs or fees of the court reporter paid by the State for transcribing evidence, and that such costs so paid be paid into the general fund of the State, and to provide further for an additional sentence of hard labor for the county or imprisonment in the penitentiary at a certain rate if such payment is not made by defendant, appellant, and to provide further for reimbursement to the general fund of the State by the county or from the funds of the Board of Corrections when the costs or fees of the court reporter for transcribing the evidence of an unsuccessful defendant, appellant have been paid by the State and not paid by the defendant, appellant and when defendant, appellant is sentenced to hard labor for the county or imprisonment in the penitentiary at the prescribed rate to pay said costs or fees of the court reporter; to authorize the Supreme Court with the advice and consultation of the Court of Appeals to adopt rules and regulations to accomplish the purposes of this act; and to appropriate out of the general fund of the State treasury not otherwise appropriated an amount sufficient to pay said court reporters and to carry out the provisions of this act, said appropriation being subject before disbursement to the approval of the Governor and contingent upon the condition of the State treasury.

MOTION IN WRITING

Mr. Long (Lauderdale) filed the following Motion in Writing:

I hereby move that the House reconsider the vote by which H. B. 1163 was passed on the last Legislative Day.

POINTS OF PERSONAL PRIVILEGE

Messrs. Ramey, Taylor and Brannan requested as a matter of personal privilege that the Journal show that had they been present and voted on the motion of Mr. Lee that the House concur in and adopt the Senate amendment to the bill, H. 244, on the last legislative day that they would have voted "yea" on the motion.

Messrs. Bishop and Trimmier requested as a matter of personal privilege that the Journal show that had they been present and voted on the motion of Mr. Lee that the House concur in and adopt the Senate amendment to the bill, H. 244, on the last legislative day that they would have voted "nay" on the motion.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Smith (Russell) to suspend the rules in order to take up for immediate consideration the third reading of the bills, H. 206, H. 205, H. 207, H. 208 and H. 209, was adopted.

Yeas 71; Nays 16.

Yeas:

Mr. Speaker	Dunn	Jenkins	Roberts
Adams	Engel	Johnson (J. T. Tom)	Rozelle
Bailey	Faulk	Jones (Covington)	Salter
Barnett	Franklin	Jones (Monroe)	Self
Bassett	Gilchrist	Lee	Sessions
Bevill	Gilmer	Locke	Shumate
Bishop	Glass	McClendon (Chambers)	Smith (Russell)
Boyd	Goldthwaite	McCorquodale	Smith (St. Clair)
Brannan	Gordon	McLendon (Bullock)	Solomon
Branyon	Grant	Meade	Steagall
Britton	Gross	Nichols	Sullivan
Callahan	Hain	Oakley	Taylor
Casey	Hanby	Phillips	Thomas
Cates	Hankins	Pierce	Torbert
Chambers	Harvey	Pruitt	Trimmier
Cornett	Hawkins	Rast	Turner
Dickson	Hearn	Ray	Vickers
Dodd	Ingram	Reynolds (Madison)	

—71

Nays:

Messrs.	Daniel	Johnston (Leonard)	Oden
Albea	Ferguson	Long (Lauderdale)	Powell
Broadfoot	Grouby	Long (Perry)	Reynolds (Chambers)
Cabiness	Guthrie	Nettles	Speaks
Camp			

—16

And the bill:

H. 206. To authorize a transfer between certain funds of the state docks department, amending Section 15 of Act No. 311, H. 253, approved August 20, 1957, an act providing for development of inland docks (Acts of Alabama 1957, vol. 1, p. 408), and providing that the amendment shall have retroactive effect.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 3.

Yeas:

Mr. Speaker	Brooks	Faulk	Hankins
Adams	Callahan	Ferguson	Harris
Albea	Camp	Franklin	Harvey
Avery	Casey	Gilchrist	Hawkins
Bailey	Cates	Gilmer	Hearn
Barnett	Chambers	Glass	Ingram
Bevill	Cook	Goldthwaite	Jenkins
Bishop	Copeland	Goodwyn	Johnson (J. T. Tom)
Boyd	Cornett	Grant	Johnston (Leonard)
Brannan	Daniel	Gross	Jones (Monroe)
Branyon	Dickson	Grouby	Lee
Brewer	Dodd	Guthrie	Locke
Britton	Dunn	Hain	Long (Perry)
Broadfoot	Engel	Hanby	McClendon (Chambers)

McCorquodale	Oakley	Ray	Speaks
McLendon (Bullock)	Oden	Reynolds (Chambers)	Steagall
Martin	Owens	Reynolds (Madison)	Sullivan
Meade	Phillips	Roberts	Taylor
Merrill	Pierce	Rozelle	Thomas
Morrow	Powell	Salter	Torbert
Murphy	Pruitt	Self	Trimmier
Nettles	Ramey	Shumate	Turnham
Nichols	Rast	Smith (Russell)	Vickers

—92

Nays:

Messrs.	Cabiness	Jones (Covington)	Long (Lauderdale)
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—3

And the bill:

H. 205. To repeal Act No. 604, Acts of Alabama, Regular Session 1957, Volume 2, page 863, approved September 18, 1957, which created the position of general manager for operations for the Alabama State Docks Department.

Was taken up.

Mr. Cabiness offered the following amendment to the bill, H. 205:

Amend House Bill No. 205 to read as follows:

Strike the entire Section 2 therefrom and substitute in lieu therefor the following.

“This Act shall become effective February 1, 1963.”

On motion of Mr. Smith (Russell) the amendment offered by Mr. Cabiness was laid upon the table.

Yeas 61; Nays 16.

Yeas:

Mr. Speaker	Dodd	Hanby	Phillips
Adams	Dunn	Hankins	Pierce
Bailey	Engel	Harvey	Pruitt
Bassett	Faulk	Hawkins	Rast
Bevill	Franklin	Ingram	Ray
Boyd	Gilchrist	Jenkins	Reynolds (Madison)
Brannan	Gilmer	Johnston (Leonard)	Roberts
Branyon	Glass	Jones (Monroe)	Rozelle
Britton	Goldthwaite	Lee	Sessions
Brooks	Goodwyn	Locke	Shumate
Callahan	Gordon	McCorquodale	Steagall
Casey	Grant	Martin	Sullivan
Cates	Gross	Murphy	Torbert
Cornett	Grouby	Nichols	Trimmier
Daniel	Hain	Oakley	Turner
Dickson			

—61

Nays:

Messrs.	Camp	Johnson (J. T. Tom)	Nettles
Albea	Ferguson	Jones (Covington)	Powell
Brewer	Guthrie	Long (Lauderdale)	Salter
Broadfoot	Hearn	McLendon (Bullock)	Speaks
Cabiness			

—16

And said bill, H. 205, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 57; Nays 21.

Yeas:

Mr. Speaker	Ferguson	Ingram	Rast
Bailey	Franklin	Jones (Monroe)	Ray
Barnett	Gilchrist	Lee	Reynolds (Chambers)
Bassett	Gilmer	Locke	Reynolds (Madison)
Bevill	Glass	Long (Perry)	Roberts
Boyd	Goldthwaite	McCorquodale	Sessions
Brannan	Goodwyn	Martin	Smith (Russell)
Britton	Gordon	Meade	Steagall
Callahan	Grant	Murphy	Sullivan
Cates	Gross	Nichols	Taylor
Cornett	Grouby	Oakley	Thomas
Dickson	Hain	Phillips	Torbert
Dunn	Hanby	Pierce	Trimmier
Engel	Hawkins	Pruitt	Turner
Faulk			

—57

Nays:

Messrs.	Cook	Johnson (J. T. Tom)	Oden
Avery	Dodd	Johnston (Leonard)	Ramey
Brewer	Guthrie	Jones (Covington)	Salter
Broadfoot	Harris	Long (Lauderdale)	Self
Cabiness	Hearn	Nettles	Speaks
Camp	Jenkins		

—21

And the bill:

H. 207. To repeal Section 3 of Act No. 103, 1955 Acts of Alabama, page 345, Volume 1, approved June 30, 1955, which created the position of general manager for the Alabama State Docks Department.

Was taken up.

Mr. Cabiness offered the following amendment to the bill, H. 207:

Amend House Bill No. 207 to read as follows:

Strike the entire Section 2 therefrom and substitute in lieu thereof the following.

This Act shall become effective February 1, 1963.

On motion of Mr. Smith (Russell) the amendment offered by Mr. Cabiness was laid upon the table.

Yeas 67; Nays 13.

Yeas:

Mr. Speaker	Dickson	Hankins	Rast
Adams	Dodd	Harvey	Reynolds (Chambers)
Avery	Dunn	Hawkins	Reynolds (Madison)
Bailey	Edwards	Ingram	Roberts
Barnett	Engel	Johnson (J. T. Tom)	Rozelle
Bassett	Faulk	Jones (Monroe)	Sessions
Bevill	Ferguson	Lee	Shumate
Bishop	Gilchrist	Locke	Smith (Russell)
Boyd	Gilmer	McCorquodale	Solomon
Brannan	Glass	Martin	Steagall
Branyon	Goodwyn	Murphy	Sullivan
Britton	Gordon	Nichols	Thomas
Callahan	Grant	Oakley	Torbert
Cates	Gross	Phillips	Trimmier
Chambers	Grouby	Pierce	Turner
Copeland	Hain	Pruitt	Vickers
Cornett	Hanby	Ramey	

—67

Nays:

Messrs.	Camp	Jones (Covington)	Powell
Brewer	Guthrie	Long (Lauderdale)	Salter
Broadfoot	Hearn	Nettles	Speaks
Cabiness	Johnston (Leonard)		

—13

And said bill, H. 207, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 65; Nays 19.

Yeas:

Mr. Speaker	Edwards	Hawkins	Rast
Adams	Engel	Ingram	Reynolds (Chambers)
Bailey	Faulk	Jones (Monroe)	Reynolds (Madison)
Bassett	Ferguson	Lee	Roberts
Bevill	Gilchrist	Locke	Rozelle
Bishop	Gilmer	McCorquodale	Sessions
Boyd	Glass	Martin	Shumate
Branyon	Goodwyn	Meade	Smith (Russell)
Britton	Gordon	Murphy	Solomon
Callahan	Grant	Nichols	Steagall
Cates	Gross	Oakley	Sullivan
Chambers	Grouby	Phillips	Thomas
Copeland	Hain	Pierce	Torbert
Cornett	Hanby	Powell	Trimmier
Daniel	Hankins	Pruitt	Turner
Dickson	Harvey	Ramey	Turnham
Dunn			

—65

Nays:

Messrs.	Cabiness	Hearn	Long (Lauderdale)
Avery	Camp	Jenkins	Nettles
Barnett	Cook	Johnson (J. T. Tom)	Salter
Brewer	Dodd	Johnston (Leonard)	Self
Broadfoot	Harris	Jones (Covington)	Speaks

—19

And the bill:

H. 208. To amend further Code 1940, Title 41, Section 152, in relation to maximum salaries or compensation payable to officers and employees of the State of Alabama.

Was taken up.

Mr. Goodwyn offered the following amendment to the bill, H. 208:

Amend H. B. 208 by striking the words "nine thousand dollars" and substituting in lieu thereof the words "ten thousand five hundred dollars".

And the amendment was adopted.

Yeas 76; Nays 7.

Yeas:

Mr. Speaker	Dodd	Harvey	Pruitt
Adams	Dunn	Hearn	Ramey
Avery	Edwards	Jenkins	Rast
Bailey	Engel	Johnston (Leonard)	Reynolds (Chambers)
Barnett	Faulk	Jones (Monroe)	Reynolds (Madison)
Bassett	Ferguson	Lee	Roberts
Bevill	Franklin	Locke	Rozelle
Bishop	Gilchrist	Long (Perry)	Sessions
Boyd	Gilmer	McClendon (Chambers)	Shumate
Brannan	Glass	McCorquodale	Smith (St. Clair)
Branyon	Goldthwaite	Martin	Solomon
Brewer	Goodwyn	Meads	Steagall
Britton	Gordon	Murphy	Sullivan
Camp	Gross	Nettles	Taylor
Cates	Grouby	Nichols	Thomas
Cook	Guthrie	Oakley	Torbert
Copeland	Hain	Owens	Trimmier
Cornett	Hanby	Phillips	Turner
Dickson	Hankins	Pierce	Turnham

—76

Nays:

Messrs.	Daniel	Jones (Covington)	Salter
Cabiness	Grant	Long (Lauderdale)	Speaks

—7

And said bill, H. 208, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 15.

Yeas:

Mr. Speaker	Dunn	Johnson (J. T. Tom)	Reynolds (Madison)
Adams	Engel	Jones (Monroe)	Roberts
Avery	Faulk	Lee	Rozelle
Bailey	Ferguson	Locke	Self
Bassett	Franklin	McClendon (Chambers)	Sessions
Bevill	Gilchrist	McCorquodale	Shumate
Bishop	Gilmer	Martin	Smith (Russell)
Boyd	Class	Meade	Smith (St. Clair)
Brannan	Goldthwaite	Murphy	Solomon
Branyon	Goodwyn	Nichols	Steagall
Brewer	Gordon	Oakley	Sullivan
Britton	Gross	Phillips	Taylor
Callahan	Grouby	Pierce	Thomas
Chambers	Hain	Powell	Torbert
Cook	Hanby	Pruitt	Trimmer
Copeland	Hankins	Ramey	Turner
Cornett	Harvey	Rast	Turnham
Dickson	Hearn	Reynolds (Chambers)	Vickers
Dodd	Jenkins		

—74

Nays:

Messrs.	Camp	Harris	Long (Perry)
Barnett	Daniel	Johnston (Leonard)	Nettles
Broadfoot	Grant	Jones (Covington)	Salter
Cabiness	Guthrie	Long (Lauderdale)	Speaks

—15

And the bill:

H. 209. (with amendments). To amend Sections 2 and 6 of Act No. 103, H. 230, Regular Session 1955, the act creating the Alabama State Docks Department (Acts of Alabama 1955, vol. I, p. 345), in relation to the compensation of the director of State Docks and to the appointment and compensation of certain executive or administrative assistants.

Was taken up.

The question was upon the adoption of the amendments reported by the Standing Committee on Ways and Means, said committee amendments being as follows:

Ways and Means Committee Amendment No. 1 to H. B. 209

Section 2. Section 6 of said Act No. 103, H. 230, Regular Session 1955, is amended by adding the following thereto:

The Director of State Docks is further authorized to employ not more than two Assistant Directors and to define their duties. The Director shall notify the State Personnel Director of the duties to be performed by the Assistant Director or Directors, which duties shall be executive or administrative in nature, and the Personnel Director shall recommend to the State Personnel Board the minimum qualifications of experience and training necessary to fill each such position. Such qualifications shall become effective when approved by the Personnel Board, and shall include a requirement of extensive responsible experience in connection with marine terminal operations, foreign trade, or one of the specialized types of opera-

tion carried on by the State Docks. No one shall be appointed to such position until the Personnel Director certifies that he meets the qualifications thus established. Persons thus appointed may be removed for cause by the Director of State Docks with the consent of the Docks Advisory Board, provided that a written statement of the reason for such removal shall be given the affected employee and a copy given to the Governor and the reasons for removal made public, prior to the effective date of removal.

And

Ways and Means Committee Amendment No. 2 to H. B. 209

Amend H. B. 209, Section 1 by striking therefrom the words in the last line of said section "less than the salary payable to the Governor." and inserting in lieu therefor the words and figures "in an amount not to exceed twenty thousand dollars (\$20,000.00)."

Further amend H. B. 209, Section 2 by striking from said section the words "that of the Docks Director." and inserting in lieu therefor the words and figures eighteen thousand dollars (\$18,000.00)."

On motion of Mr. Smith (Russell) the amendments reported by the Standing Committee on Ways and Means were laid upon the table.

Mr. Smith (Russell) offered the following substitute for the bill, H. 209:

A BILL
TO BE ENTITLED
AN ACT

To amend Sections 2 and 6 of Act No. 103, H. 230, Regular Session 1955, the act creating the Alabama State Docks Department (Acts of Alabama 1955, vol. 1, p. 345), in relation to the compensation of the director of State Docks and to the appointment and compensation of certain executive or administrative assistants.

Be It Enacted by the Legislature of Alabama:

SECTION 1. Section 2 of Act No. 103, H. 230, Regular Session 1955, the act creating the Alabama State Docks Department (Acts of Alabama 1955, vol. 1, p. 345), is hereby amended to read as follows:

"Section 2. The chief executive officer of the Department shall be known as the Director of State Docks, and shall be appointed by the Governor with the advice and consent of the Senate, and shall hold office at the Governor's pleasure. All the powers, authority and duties vested in the Alabama State Docks Department shall be exercised by the director, who shall be a man of good character with business experience. He shall have no financial interest in any harbor facilities or property that the Department has acquired or may acquire or manage; nor shall he have any financial or personal interest in any business or enterprise of any sort which shall interfere or be inconsistent with his duties as Director of the State Docks Department. The compensation of the director of State Docks shall be an annual salary fixed by the Governor, but the amount thereof shall be in an amount not to exceed twenty thousand dollars (\$20,000.00).

Section 2. Section 6 of said Act No. 103, H. 230, Regular Session 1955, is amended by adding the following thereto:

The Director of State Docks is further authorized to employ not more than two Assistant Directors and to define their duties. The Director shall notify the State Personnel Director of the duties to be performed by the Assistant Director or Directors, which duties shall be executive or administrative in nature, and the Personnel Director shall recommend to the State Personnel Board the minimum qualifications of experience and training necessary to fill each such position. Such qualifications shall become effective when approved by the Personnel Board, and shall include a requirement of extensive responsible experience in connection with marine terminal operations, foreign trade, or one of the specialized types of operation carried on by the State Docks. No one shall be appointed to such position until the Personnel Director certifies that he meets the qualifications thus established. Persons thus appointed may be removed for cause by the Director of State Docks with the consent of the Docks Advisory Board, provided that a written statement of the reason for such removal shall be given the affected employee and a copy given to the Governor and the reasons for removal made public, prior to the effective date of removal. The compensation of such persons thus appointed shall be fixed by the Docks Director with the approval of the Docks Advisory Board and the Governor at amounts not to exceed eighteen thousand dollars (\$18,000.00).

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 71; Nays 12.

Yeas:

Mr. Speaker	Dunn	Harris	Rast
Adams	Engel	Harvey	Reynolds (Chambers)
Bailey	Faulk	Hearn	Reynolds (Madison)
Barnett	Ferguson	Jones (Monroe)	Roberts
Bevill	Franklin	Lee	Rozelle
Boyd	Gilchrist	Locke	Shumate
Brannan	Gilmer	Long (Perry)	Smith (Russell)
Branyon	Glass	McCorquodale	Smith (St. Clair)
Brewer	Goldthwaite	Martin	Solomon
Britton	Goodwyn	Meade	Steagall
Callahan	Gordon	Murphy	Sullivan
Casey	Grant	Nichols	Thomas
Cates	Gross	Oakley	Torbert
Chambers	Grouby	Phillips	Trimmier
Cook	Guthrie	Pierce	Turner
Cornett	Hain	Powell	Turnham
Dickson	Hanby	Pruitt	Vickers
Dodd	Hankins	Ramey	

—71

Nays:

Messrs.	Jenkins	Jones (Covington)	Salter
Broadfoot	Johnson (J. T. Tom)	Long (Lauderdale)	Self
Camp	Johnston (Leonard)	Nettles	Speaks
Daniel			

—12

Mr. Cabiness offered the following amendment to the bill, H. 209, as amended:

Amend House Bill No. 209 to read as follows:

Strike the entire Section 3 from the bill and substitute in lieu therefor the following. "This Act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law February 1, 1963."

On motion of Mr. Smith (Russell) the amendment offered by Mr. Cabiness was laid upon the table.

Yeas 60; Nays 15.

Yeas:

Mr. Speaker	Dunn	Ingram	Reynolds (Chambers)
Adams	Engel	Johnson (J. T. Tom)	Reynolds (Madison)
Bailey	Faulk	Jones (Monroe)	Roberts
Bassett	Ferguson	Lee	Rozelle
Bevill	Franklin	Locke	Sessions
Boyd	Gilchrist	McCorquodale	Shumate
Brannan	Gilmer	Martin	Smith (Russell)
Britton	Glass	Murphy	Smith (St. Clair)
Brooks	Goldthwaite	Nichols	Solomon
Callahan	Goodwyn	Oakley	Steagall
Casey	Gordon	Phillips	Sullivan
Cates	Grant	Pierce	Thomas
Cornett	Hain	Powell	Trimmier
Dickson	Harvey	Pruitt	Turner
Dodd	Hawkins	Rast	Vickers

—60

Nays:

Messrs.	Broadfoot	Hearn	Long (Perry)
Avery	Cabiness	Johnston (Leonard)	Nettles
Barnett	Camp	Jones (Corington)	Salter
Brewer	Guthrie	Long (Lauderdale)	Speaks

—15

And said bill, H. 209, as amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 58; Nays 33.

Yeas:

Mr. Speaker	Cornett	Goldthwaite	Jones (Monroe)
Adams	Dickson	Goodwyn	Lee
Bailey	Dunn	Gordon	Locke
Bevill	Edwards	Grant	McCorquodale
Boyd	Engel	Gross	Merrill
Brannan	Faulk	Guthrie	Morrow
Brooks	Franklin	Hain	Murphy
Callahan	Gilchrist	Hanby	Nichols
Casey	Gilmer	Harvey	Oakley
Cates	Glass	Ingram	Phillips

Pierce	Roberts	Solomon	Torbert
Pruitt	Rozelle	Steagall	Trimmier
Rast	Sessions	Sullivan	Turner
Reynolds (Chambers)	Shumate	Thomas	Vickers
Reynolds (Madison)	Smith (Russell)		

—58

Nays:

Messrs.	Camp	Jenkins	Nettles
Albea	Cook	Johnson (J. T. Tom)	Powell
Avery	Daniel	Johnston (Leonard)	Ramey
Barnett	Dodd	Jones (Covington)	Salter
Bishop	Ferguson	Long (Lauderdale)	Self
Branyon	Grouby	Long (Perry)	Smith (St. Clair)
Brewer	Hankins	McClendon (Chambers)	Speaks
Broadfoot	Harris	Meade	Taylor
Cabiness	Hearn		

—33

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Johnston (Leonard) to suspend the rules in order to have the call of counties for the introduction of bills was adopted.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Thomas:

H. 1369. To amend Section 12 of Act No. 533, page 750, Acts of Alabama 1957, Regular Session, relating to the State Board of Registration for Foresters; amending and changing the requirements for registration.

State Administration.

By Mr. Thomas:

H. 1370. To provide for the salary of the Chief Examiner of Public Accounts.

State Administration.

By Mr. Thomas:

H. 1371. To confer on certain non-profit hospital corporations the power of eminent domain.

Judiciary.

By Mr. Brannan (with notice and proof):

H. 1372. To alter or rearrange the boundary lines of the Town of Robertsedale, Baldwin County, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory contiguous thereto, in Baldwin County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 1372:

LEGAL NOTICE

STATE OF ALABAMA

BALDWIN COUNTY

Notice is hereby given pursuant to Section 106 of the Constitution of Alabama 1901 that application will be made to the Legislature of Alabama for the enactment of a local law, the substance of which is as follows:

A BILL
TO BE ENTITLED
AN ACT

To alter or rearrange the boundary lines of the Town of Robertsdale, Baldwin County, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory contiguous thereto, in Baldwin County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the Town of Robertsdale, Baldwin County, Alabama, be, and the same are hereby altered or rearranged so as to include all of the territory heretofore encompassed by the corporate limits of the Town of Robertsdale and in addition thereto the following described territory, located in Baldwin County, Alabama, to-wit:

The Southwest Quarter, Section 32, Township 5 South. Range 4 East.

The West half, Section 5, Township 6 South, Range 4 East.

The Northwest Quarter, Section 8, Township 6 South, Range 4 East.

The North half, Section 7, Township 6 South, Range 4 East.

The Northeast Quarter, Section 12, Township 6 South, Range 3 East.

The East half, Section 1, Township 6 South, Range 3 East.

The Southeast Quarter, Section 36, Township 5 South. Range 3 East.

The South half, Section 31, Township 5 South, Range 4 East.

Section 2. That this act shall become effective upon its passage and approved by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

"STATE OF ALABAMA

BALDWIN COUNTY

Before me Doris Horder Rich, a Notary Public, in and for the State and County aforesaid personally appeared E. M. Howell, who, being by me first duly sworn deposes and says that during the times herein mentioned he was Publisher of The Foley Onlooker, a newspaper of general circulation published in Baldwin County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the

issue of said paper on June 22, 29, July 6, and 13th, 1961 all in the year 1961.

E. M. HOWELL,
Affiant.

Sworn to and subscribed before me on this 15th day of July, 1961.

Doris Horder Rich,
Notary Public."
The State of Alabama At Large.
My commission expires December 22, 1962.

By Mr. Hearn:

H. 1373. To encourage the marketing of agricultural products free from interstate trade barriers and restrictions and to obtain for Alabama farmers equal treatment for the sale of their products in other states; to authorize the Commissioner of Agriculture and Industries to enter into reciprocal agreements with other states for the sale of Alabama-produced agricultural products therein free of taxes, licenses and other similar charges; to levy a tax, license or other similar charge upon agricultural products shipped or transported into Alabama from another state where such other state levies a tax upon agricultural products transported or shipped from Alabama unless such state by reciprocal agreement with the Commissioner of Agriculture and Industries provides for the exemption of Alabama-produced agricultural products; to provide for the administration of the requirements of this Act by the Commissioner of Agriculture and Industries and the State Board of Agriculture and Industries and for the collection of any taxes, licenses and other charges or fees levied hereunder.

Agriculture.

By Messrs. Brewer, Reynolds (Madison), Roberts, Self, Ray, Oden, Dodd, Cabiness, Gross, Guthrie, Gilchrist, Hearn, Long (Lauderdale), Broadfoot, Bishop and Turner (with notice and proof):

H. 1374. To authorize the board of trustees of the district tuberculosis sanatorium of District Number One to bargain, sell and convey certain real property.

Local Legislation No. 1

Notice and Proof H. 1374:

LEGAL NOTICE

A BILL TO BE ENTITLED AN ACT

To authorize the board of trustees of the district tuberculosis sanatorium of District Number One to bargain, sell and convey certain real property.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of trustees of the district tuberculosis sana-

torium District Number One may grant, bargain, sell and convey an estate in any public land which it now or hereafter possesses or which is held for the use of such sanatorium, pursuant to Act No. 287, S. 22, approved July 7, 1945 (General Acts of Alabama 1945, p. 474) equal to any estate or aggregation of estates held by it or held by any or all of the counties constituting said District Number One for its use.

Section 2. The proceeds of any transaction pursuant to Section 1 shall be spent for or applied on a building site, building construction, equipment, maintenance, administration or operation of the sanatorium or for any purpose incidental to the maintenance or operation of said sanatorium.

Section 3. The conveyance pursuant to a sale made hereunder shall be executed by the chairman of said board of trustees and shall have attached to it a copy of the resolution of the board of trustees authorizing the sale, certified by the secretary of the board, and shall be approved by the Governor.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF WINSTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jay Thornton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Advertiser, a newspaper of general circulation published in Haleyville, Winston County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 27, August 3, August 10, and August 15, all in the year 1961.

JAY THORNTON.

Sworn to and subscribed before me Aug. 16, 1961.

R. J. THORNTON,
Title Notary Public.

LEGALS

A BILL TO BE ENTITLED AN ACT

To authorize the board of trustees of the district tuberculosis sanatorium of District Number One to bargain, sell and convey certain real property.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of trustees of the district tuberculosis sanatorium of District Number One may grant, bargain, sell and convey, an estate in any public land which it now or hereafter possesses or which is held for the use of such sanatorium pursuant to Act No. 287, S. 22, approved July 7, 1945, General Acts of Alabama 1945, (p. 474) equal to any estate or aggregation of estates held by it or held by any or all of the counties constituting said District Number One for its use.

Section 2. The proceeds of any transaction pursuant to Section 1 shall be spent for or applied on a building site, building construction, equipment, maintenance, administration or operation of the sanatorium or for any purpose incidental to the maintenance or operation of said sanatorium.

Section 3. The conveyance pursuant to a sale made hereunder shall be executed by the chairman of said board of trustees and shall have attached to it a copy of the resolution of the board of trustees authorizing the sale, certified by the secretary of the board, and shall be approved by the Governor.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Steele McGrew, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Alabama Courier, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Apr. 13, Apr. 20, Apr. 27, and May 4, all in the year 1961.

STEELE MCGREW.

Sworn to and subscribed before me this 4 day of May, 1961.

LOLA L. ORR,
Title Notary Public.

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MADISON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To authorize the board of trustees of the district tuberculosis sanatorium of District Number One to bargain, sell and convey certain real property.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of trustees of the district tuberculosis sanatorium of District Number One may grant, bargain, sell and convey, an estate in any public land which it now or hereafter possesses or which is held for the use of such sanatorium pursuant to Act No. 287, S. 22, approved July 7, 1945, (General Acts of Alabama 1945, p. 474) equal to any estate or aggregation of estates held by it or held by any or all of the counties constituting said District Number One for its use.

Section 2. The proceeds of any transaction pursuant to Section 1 shall be spent for or applied on a building site, building construction, equipment, maintenance, administration or operation of the sanatorium or for any purpose incidental to the maintenance or operation of said sanatorium.

Section 3. The conveyance pursuant to a sale made hereunder shall be executed by the chairman of said board of trustees and shall have attached to it a copy of the resolution of the board of trustees authorizing the sale, certified by the secretary of the board, and shall be approved by the Governor.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Lewis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Secretary-Treasurer of the Huntsville Times, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 18, April 25, May 2, and May 9, all in the year 1961.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me May 10, 1961.

OPAL H. DILWORTH,
Title Notary Public.

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF CULLMAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To authorize the board of trustees of the district tuberculosis sanatorium of District Number One to bargain, sell and convey certain real property.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of trustees of the district tuberculosis sanatorium of District Number One may grant, bargain, sell and convey an estate in any public land which it now or hereafter possesses or which is held for the use of such sanatorium pursuant to Act No. 287, S. 22, approved July 7, 1945, (General Acts of Alabama 1945, p. 474) equal to any estate or aggregation of estates held by it or held by any or all of the counties constituting said District Number One for its use.

Section 2. The proceeds of any transaction pursuant to Section 1 shall be spent for or applied on a building site, building construction, equipment, maintenance, administration or operation of the sanatorium or for any purpose incidental to the maintenance or operation of said sanatorium.

Section 3. The conveyance pursuant to a sale made hereunder shall be executed by the chairman of said board of trustees and shall have attached to it a copy of the resolution signed by each member of the board of trustees authorizing the sale, certified by the secretary of the board, and shall be approved by the Governor.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert Bryan, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Times, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without

cost to the State of Alabama, said notice having appeared in the issues of said paper on April 20, April 27, May 4, and May 11, all in the year 1961.

ROBERT BRYAN.

Sworn to and subscribed before me May 20, 1961.

MARIE W. BERGIN,
Title Notary Public.

My Commission Expires 4/5/65

LEGAL NOTICE
A BILL
TO BE ENTITLED
AN ACT

To authorize the board of trustees of the district tuberculosis sanatorium of District Number One to bargain, sell and convey certain real property.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of trustees of the district tuberculosis sanatorium of District Number One may grant, bargain, sell and convey an estate in any public land which it now or hereafter possesses or which is held for the use of such sanatorium, pursuant to Act No. 287, S. 22, approved July 7, 1945 (General Acts of Alabama 1945, p. 474) equal to any estate or aggregation of estates held by it or held by any or all of the counties constituting said District Number One for its use.

Section 2. The proceeds of any transaction pursuant to Section 1 shall be spent for or applied on a building site, building construction, equipment, maintenance, administration or operation of the sanatorium or for any purpose incidental to the maintenance or operation of said sanatorium.

Section 3. The conveyance pursuant to a sale made hereunder shall be executed by the chairman of said board of trustees and shall have attached to it a copy of the resolution of the board of trustees authorizing the sale, certified by the secretary of the board, and shall be approved by the Governor.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF FRANKLIN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Claude E. Sparks, who, being by me

first duly sworn, deposes and says that during the times herein mentioned he was co-publisher of the Franklin County Times, a newspaper of general circulation published in Franklin County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 27, May 4, May 11, and May 18, all in the year 1961.

CLAUDE E. SPARKS.

Sworn to and subscribed before me June 12, 1961.

RUTH B. LEOPARD,
Title Notary Public.

LEGAL NOTICE

A BILL TO BE ENTITLED AN ACT

To authorize the board of trustees of the district tuberculosis sanatorium of District Number One to bargain, sell and convey certain real property.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of trustees of the district tuberculosis sanatorium of District Number One may grant, bargain, sell and convey an estate in any public land which it now or hereafter possesses or which is held for the use of such sanatorium, pursuant to Act No. 287, S. 22, approved July 7, 1945 (General Acts of Alabama 1945, p. 474) equal to any estate or aggregation of estates held by it or held by any or all of the counties constituting said District Number One for its use.

Section 2. The proceeds of any transaction pursuant to Section 1 shall be spent for or applied on a building site, building construction, equipment, maintenance, administration or operation of the sanatorium or for any purpose incidental to the maintenance or operation of said sanatorium.

Section 3. The conveyance pursuant to a sale made hereunder shall be executed by the chairman of said board of trustees and shall have attached to it a copy of the resolution of the board of trustees authorizing the sale, certified by the secretary of the board, and shall be approved by the Governor.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
MARSHALL COUNTY

Before me, a Notary Public, in and for said State and County person-

ally appeared the undersigned H. Jack Thompson who being first duly sworn according to law, deposes and says that he is a partner and co-publisher of THE ALBERTVILLE HERALD, a newspaper of general circulation published at Albertville, in Marshall County, Alabama; that the attached notice, which is a part of this affidavit, was published in the issues of said newspaper, dated April 20, 1961, April 27, 1961, May 4, 1961, May 11, 1961.

Signed H. JACK THOMPSON,
Publisher.

Sworn to and subscribed before me this the 15 day of May, 1961.

MRS. MOTTLEY ADAMS, JR.,
Notary Public.

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF LAUDERDALE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To authorize the board of trustees of the district tuberculosis sanatorium of District Number One to bargain, sell and convey certain real property.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of trustees of the district tuberculosis sanatorium of District Number One may grant, bargain, sell and convey an estate in any public land which it now or hereafter possesses or which is held for the use of such sanatorium pursuant to Act No. 287, S. 22, approved July 7, 1945, (General Acts of Alabama 1945, p. 474) equal to any estate or aggregation of estates held by it or held by any or all of the counties constituting said District Number One for its use.

Section 2. The proceeds of any transaction pursuant to Section 1 shall be spent for or applied on a building site, building construction, equipment, maintenance, administration or operation of the sanatorium or for any purpose incidental to the maintenance or operation of said sanatorium.

Section 3. The conveyance pursuant to a sale made hereunder shall be executed by the chairman of said board of trustees and shall have attached to it a copy of the resolution of the board of trustees authorizing the sale, certified by the secretary of the board, and shall be approved by the Governor.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LAUDERDALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared D. H. Bowling, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Advertising Manager of the Florence Times, a newspaper of general circulation published in Lauderdale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 14, April 21, April 28, and May 5, all in the year 1961.

D. H. BOWLING.

Sworn to and subscribed before me May 5, 1961.

STANLEY L. SCHULMAN,
Title Notary Public State-at-Large.
My Commission Expires February 19, 1964.

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF COLBERT

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To authorize the board of trustees of the district tuberculosis sanatorium of District Number One to bargain, sell and convey certain real property.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of trustees of the district tuberculosis sanatorium of District Number One may grant, bargain, sell and convey an estate in any public land which it now or hereafter possesses or which is held for the use of such sanatorium pursuant to Act No. 287, S. 22, approved July 7, 1945, (General Acts of Alabama 1945, p. 474)) equal to any estate or aggregation of estates held by it or held by any or all of the counties constituting said District Number One for its use.

Section 2. The proceeds of any transaction pursuant to Section 1 shall be spent for or applied on a building site, building construction, equipment,

maintenance, administration or operation of the sanatorium or for any purpose incidental to the maintenance or operation of said sanatorium.

Section 3. The conveyance pursuant to a sale made hereunder shall be executed by the chairman of said board of trustees and shall have attached to it a copy of the resolution of the board of trustees authorizing the sale, certified by the secretary of the board, and shall be approved by the Governor.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF COLBERT

Before me, the undersigned authority in and for said County in said State, this day personally appeared L. H. Baker, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of the Standard & Times, a newspaper of general circulation published in Colbert County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 14, April 21, April 28, and May 5, all in the year 1961.

L. H. BAKER.

Sworn to and subscribed before me May 5, 1961.

JAMES A. ROBERTS,
Title Notary Public, State-at-Large,
My Commission expires Oct. 2, 1962

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MORGAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To authorize the board of trustees of the district tuberculosis sanatorium of District Number One to bargain, sell and convey certain real property.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of trustees of the district tuberculosis sanatorium of District Number One may grant, bargain, sell and convey an estate in any public land which it now or hereafter possesses or which is held for the use of such sanatorium pursuant to Act No. 287, S. 22, approved July 7, 1945, (General Acts of Alabama 1945, p. 474) equal to any estate or aggregation of estates held by it or held by any or all of the counties constituting said District Number One for its use.

Section 2. The proceeds of any transaction pursuant to Section 1 shall be spent for or applied on a building site, building construction, equipment, maintenance, administration or operation of the sanatorium or for any purpose incidental to the maintenance or operation of said sanatorium.

Section 3. The conveyance pursuant to a sale made hereunder shall be executed by the chairman of said board of trustees and shall have attached to it a copy of the resolution of the board of trustees authorizing the sale, certified by the secretary of the board, and shall be approved by the Governor.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack W. Hoffhaus, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Hartselle Enquirer, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 11, May 18, May 25, and June 1, all in the year 1961.

JACK W. HOFFHAUS.

Sworn to and subscribed before me June 6, 1961.

ESTELLE J. ODEN,
Title Notary Public.

LEGAL NOTICE A BILL TO BE ENTITLED AN ACT

To authorize the board of trustees of the district tuberculosis sana-

torium of District Number One to bargain, sell and convey certain real property.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of trustees of the district tuberculosis sanatorium of District Number One may grant, bargain, sell and convey an estate in any public land which it now or hereafter possesses or which is held for the use of such sanatorium, pursuant to Act No. 287, S. 22, approved July 7, 1945 (General Acts of Alabama 1945, p. 474) equal to any estate or aggregation of estates held by it or held by any or all of the counties constituting said District Number One for its use.

Section 2. The proceeds of any transaction pursuant to Section 1 shall be spent for or applied in a building site, building construction, equipment, maintenance, administration or operation of the sanatorium or for any purpose incidental to the maintenance or operation of said sanatorium.

Section 3. The conveyance pursuant to a sale made hereunder shall be executed by the chairman of said board of trustees and shall have attached to it a copy of the resolution of the board of trustees authorizing the sale, certified by the secretary of the board, and shall be approved by the Governor.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
LAWRENCE COUNTY

Before me a Notary Public, in and for said State and County, personally appeared Arthur F. Slaton, publisher of The Moulton Advertiser, a newspaper published in said State and County, who being sworn according to law, deposes and says that, the legal notice, copy of which is herewith attached, was duly published in The Moulton Advertiser for 4 consecutive weekly issues beginning with the issue of May 18, 1961, and ending with the issue of June 8, 1961.

ARTHUR F. SLATON.

Subscribed and sworn to before me, this 15th day of June, 1961, at Moulton, Alabama.

BETTY S. DYAR,
Notary Public.

My commission expires 5-29-63

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF JACKSON

Notice is hereby given that a bill substantially as follows will be

introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To authorize the board of trustees of the district tuberculosis sanatorium of District Number One to bargain, sell and convey certain real property.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of trustees of the district tuberculosis sanatorium of District Number One may grant, bargain, sell and convey, an estate in any public land which it now or hereafter possesses or which is held for the use of such sanatorium pursuant to Act No. 287, S. 22, approved July 7, 1945, (General Acts of Alabama 1945, p. 474) equal to any estate or aggregation of estates held by it or held by any or all of the counties constituting said District Number One for its use.

Section 2. The proceeds of any transaction pursuant to Section 1 shall be spent for or applied on a building site, building construction, equipment, maintenance, administration or operation of the sanatorium or for any purpose incidental to the maintenance or operation of said sanatorium.

Section 3. The Conveyance pursuant to a sale made hereunder shall be executed by the chairman of said board of trustees and shall have attached to it a copy of the resolution of the board of trustees authorizing the sale, certified by the secretary of the board, and shall be approved by the Governor.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF JACKSON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Fred J. Buchheit, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was PUBLISHER of the PROGRESSIVE AGE, a newspaper of general circulation published in JACKSON County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 8, June 15, June 22, and June 29, all in the year 1961.

FRED J. BUCHHEIT.

Sworn to and subscribed before me July 19, 1961.

BOBBIE B. MARSHALL,
Title Notary Public.
My commission expires Oct. 9, 1963.

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MARION

bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To authorize the Board of Trustees of the District Tuberculosis Sanatorium of District Number One to bargain, sell and convey certain real property.

Be It Enacted by the Legislature of Alabama:

Section 1. The Board of Trustees of the District Tuberculosis Sanatorium of District Number One may grant, bargain, sell and convey, an estate in any public land which it now or hereafter possesses or which is held for the use of such Sanatorium, pursuant to Act No. 287, S. 22, approved July 7, 1945, (General Acts of Alabama 1945, P. 474) equal to any estate or aggregation of estates held by it or held by any or all of the counties constituting said District Number One for its use.

Section 2. The proceeds of any transaction pursuant to Section 1 shall be spent for or applied on a building site, building construction, equipment, maintenance, administration or operation of the Sanatorium or for any purpose incidental to the maintenance or operation of said Sanatorium.

Section 3. The conveyance pursuant to a sale made hereunder shall be executed by the Chairman of said Board of Trustees and shall have attached to it a copy of the resolution of the Board of Trustees authorizing the sale, certified by the secretary of the Board, and shall be approved by the Governor.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MARION

Before me, the undersigned authority in and for said County in said

State, this day personally appeared Oscar Roden, who being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Marion County News-Journal, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said Newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 25, June 1, June 8, and June 15, all in the year 1961.

OSCAR RODEN.

Sworn to and subscribed before me July 18, 1961.

BESSIE D. GRAY,
Title Notary Public.

By Messrs. Brewer and Gilchrist (with notice and proof):

H. 1375. To provide a personnel program and merit system for the City of Decatur; to prescribe the personnel policy; to provide for a Personnel Board and to fix its duties, authority and power; to provide for the appointment, removal, salaries, tenure and official conduct of certain employees; and to provide for financing the administration of this act.

Local Legislation No. 1.

Notice and Proof H. 1375:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MORGAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To provide a personnel program and merit system for the City of Decatur; to prescribe the personnel policy; to provide for a Personnel Board and to fix its duties, authority and power; to provide for the appointment, removal, salaries, tenure and official conduct of certain employees; and to provide for financing the administration of this act.

Be It Enacted by the Legislature of Alabama:

Section 1. General provisions. The personnel policy of the City of Decatur shall be as follows:

(a) Employment shall be based on merit and fitness, free of political considerations.

(b) Just and equitable incentives and conditions of employment shall be established and maintained to promote efficiency and economy in the operation of the city government.

(c) Positions having similar duties and responsibilities shall be classified and compensated on a uniform basis.

(d) Appointments, promotions and other actions requiring the application of the merit principle shall be based on systematic tests and evaluations.

(e) High morale shall be maintained by fair administration of this act and by every consideration of the rights and interest of employees consistent with the best interests of the public and the city.

(f) Tenure of employees covered by this act shall be subject to good behavior, the satisfactory performance of work, necessity for the performance of work, the availability of funds and the other provisions set forth in this act.

(g) The term "appointing authority" when used in this act shall refer to the Board of Commissioners or other like governing body of the City of Decatur.

Section 2. Division into classified and exempt services; status of present employees; scope of act. (a) All offices and positions of the city shall be divided into classified service and exempt service.

(1) The exempt service shall include all elected officials and members of boards and commissions; voluntary personnel and personnel appointed to serve without pay; consultants rendering temporary professional service; such positions involving seasonal or parttime employment, or which consist of unskilled work, as may be specifically placed in the exempt service by the personnel rules; attorneys rendering legal service; and persons employed by the Municipal Utilities Board of Decatur, Morgan County, Alabama, and the other boards and commissions of the city; provided however, employees of such other boards and commissions of the city may be placed in the classified service by resolution of the Board of Commissioners after favorable recommendation by such board or commission.

(2) The classified service shall include all other positions in city service that are paid out of the general fund of the city and which are not specifically placed in the exempt service.

(b) When this act becomes effective, all persons then holding positions included in the classified service shall have permanent status if they have held their present positions for at least six months immediately preceding the effective date of this act; or shall serve a probationary period of six months before acquiring permanent status if they have held their position for less than six months immediately preceding the effective date of this act.

(c) The class to which each employee shall have status shall be determined in the manner provided by this act, which act applies only to the classified service unless otherwise specifically provided.

Section 3. Personnel Board established; organization; general duties. (a) The personnel program established by this act shall be administered by the Personnel Board. The Personnel Board shall consist of five members appointed by the Board of Commissioners. The members of the Board shall be persons in sympathy with the application of merit principles to public employment. No member of the Board shall be employed by or be an official of the city, nor hold any elective office. The members of the Board shall serve for a term of five year; provided that in the appointment of the first board there shall be appointed one member for a term of one year, one for a term of two years, one for a term of three years, one for a term of four years, and one for a term of five years. Vacancies occurring during a term shall be filled for the balance of the term by the Board of

Commissioners. Members of the Board shall serve without compensation, but funds will be provided for reasonable and necessary expenses. The Board shall elect its own chairman, vice chairman and secretary-treasurer.

(b) The Personnel Board, with the approval of the Board of Commissioners, shall have the right to employ such full or part-time assistants as shall be necessary to carry out the provisions of this act.

(c) In addition to the duties set forth elsewhere in this act, the Board shall advise the city on matters of personnel administration, including the development of personnel rules, a job classification plan and uniform pay plan; represent the public interest in the improvement of personnel administration in the city service; make any inquiry which it may consider desirable concerning personnel administration in the city service, and make recommendations to the city with respect thereto.

Section 4. Recommendation and adoption of rules. The Personnel Board shall draft such rules as may be necessary to carry out the provisions of this act. Following a public hearing conducted by the Personnel Board, rules recommended by the Personnel Board shall be submitted for adoption by resolution of the Board of Commissioners. The rules shall have the force and effect of law upon adoption by the Board of Commissioners. Amendments to the rules shall be made in accordance with the above procedure.

Section 5. Recommendation and adoption of job classifications. (a) Recommendations. The Personnel Board shall make an analysis of the duties and responsibilities of all positions in the classified service and shall recommend to the Board of Commissioners a job classification plan. Each position in the classified service shall be assigned to a job class on the basis of the kind and level of its duties and responsibilities, to the end that all positions in the same class shall be sufficiently alike to permit use of a single descriptive title, the same qualifications requirements, the same test of competence, and the same pay scale. A job class may contain one position, or more than one position.

(b) Adoption. Within 60 days after the recommendation of the initial classification plan by the Personnel Board, the Board of Commissioners shall, after public hearing, approve a classification plan, and the Personnel Board shall thereafter allocate each position to its appropriate class. The class to which each position is initially allocated following adoption of this act shall be the class in which the employee shall have status conferred on him by this section.

(c) Revisions. The initial classification plan shall be revised from time to time as changing conditions require, upon recommendations of the Personnel Board and with the approval of the Board of Commissioners. Such revisions may consist of the addition, abolishment, consolidation, division or amendment of existing classes.

Section 6. Recommendations and adoption of compensation plan.

(a) Recommendation. The Personnel Board, under the direction of the Board of Commissioners, shall prepare a pay plan and rules for its administration. The rate or range for each class shall be such as to reflect fairly the differences in duties and responsibilities and shall be related to compensation for comparable positions in other places of public and private employment.

(b) Adoption. The Personnel Board shall submit the pay plan and the rules for its administration to the Board of Commissioners for adop-

tion. The Board of Commissioners may adopt the plan and the rules, with or without amendment. All amendments shall apply uniformly to all positions within the same class.

(c) Assignment of job classes. After the pay plan and the rules for its administration have been adopted by the Board of Commissioners, the Personnel Board will assign each job class to one of the pay ranges provided in the pay plan.

(d) Amendments. After submission of any proposed amendments to the Personnel Board for its recommendations, the Pay Plan may be amended by the Board of Commissioners from time to time as circumstances require, either through adjustment of rates or by reassignment of job classes to different pay ranges.

Section 7. Appointments and promotions. (a) Original appointments to vacancies occurring shall be based on merit as determined by competitive examinations, except that appointments to positions classified as laborer, custodial worker and utility or semi-skilled worker may be made by the appointing authority with the approval of the Personnel Board without such examinations.

(b) Examinations shall be in such form as will fairly test the abilities and aptitudes of candidates for the duties to be performed.

(c) Candidates who qualify for employment shall be placed on the eligible list for the appropriate job class in the rank order of the grades they obtained on the examination.

(d) Vacancies in positions above the entrance level shall be filled by promotion, and promotions shall be on a competitive basis except where the number of persons qualified for promotion is insufficient to justify competition. Promotions shall give appropriate consideration as to the applicant's qualifications, record of performance, and seniority.

(e) Pending the availability of an eligible list, vacancies may be filled by temporary appointment. Such appointments shall have a maximum duration of six months and may not continue beyond one pay period after the establishment of an appropriate eligible list.

Section 8. Eligible lists; determining eligibility for appointment. Eligible lists, in the order of their priority, shall be reemployment lists, promotional eligible lists and original appointment eligible lists.

(a) Re-employment lists shall contain the names of permanent employees laid off in good standing for lack of funds or work.

(b) Promotional eligible lists and original appointment eligible lists shall be created as provided in Section 7.

(c) Probationary employees laid off for lack of work or lack of funds, and probationary employees who resign and whose resignations are withdrawn within one year, with the approval of the appointing authority, may have their names restored to the eligible list from which their appointment was originally made.

(d) Method of filling vacancies. When an appointment is to be made to a vacancy, the Personnel Board shall submit to the appointing authority the names of the three persons ranked highest on the appropriate list who have indicated willingness to accept appointment. When more than one vacancy is to be filled the number of names submitted shall equal the number of vacancies plus two.

(e) Policies and procedures for administering eligible lists shall be provided in the personnel rules, covering the duration, cancellation, replacement, and consolidation of such lists, and the removal or suspension of the names of eligibles therefrom.

Section 9. Probation. (a) Employees appointed from original appointment eligible lists or from promotional eligible lists shall be subject to a period of probation. The regular period of probation shall be six months, provided that the personnel rules may specify a longer or shorter period of probation for certain designated job classes, or for extension of the probation period in individual cases. No probationary period may extend beyond twelve months.

(b) The work and conduct of probationary employees shall be subject to close scrutiny and evaluation, and if found to be below standards satisfactory to the appointing authority, the appointing authority may remove or demote the probationer at any time during the probationary period. Such removals or demotions shall not be subject to review or appeal.

(c) An employee shall be retained beyond the end of the probationary period and granted permanent status only if the appointing authority affirms that the services of the employee have been found to be satisfactory and recommends that the employee be given permanent status.

Section 10. Absences; hours of work. Rules shall be adopted prescribing hours of work and the conditions and length of time for which leaves of absence with pay and leaves of absence without pay may be granted. These shall cover, among others, vacations, holidays, sick leaves and leaves for military service.

Section 11. Training. The Personnel Board shall encourage the improvement of service by providing employees with opportunities for training, which need not be limited to training for specific jobs but may include training for advancement and for general fitness for public service.

Section 12. Separation, suspension, and resignation. The tenure of every employee shall be conditioned on good behavior and the satisfactory performance of duties. Any employee may be temporarily separated by layoff or suspension, or permanently separated by resignation or dismissal.

(a) Separation for lack of work or funds. Whenever there is lack of work or lack of funds requiring reductions in the number of employees in a department or division of the city government, the required reduction shall be made in such job class or classes as the department head may designate, provided that employees shall be laid off in the inverse order of their relative length and quality of service, as determined by rules governing the evaluation of service. Within each affected job class, all temporary employees shall be laid off before probationary employees, and all probationary employees shall be laid off before any permanent employees.

(b) Suspension for poor performance. When in the judgement of an appointing authority or department head, an employee's work, or insubordinate attitude, performance, or conduct justifies disciplinary action short of dismissal, the employee may be suspended without pay. A suspended employee may not request a hearing before the Personnel Board unless the suspension is for more than fifteen working days, or unless the employee has already received a previous suspension within the six months immediately prior thereto.

(c) Separation or demotion for poor performance. A permanent em-

ployee may be dismissed or demoted whenever in the judgment of the appointing authority or department head the employee's work, performance, conduct, or insubordinate attitude so warrants.

(d) Procedure for protesting dismissal. The dismissed employee shall have the right to file a protest in writing within two calendar weeks from the date of his dismissal and request a hearing. The Personnel Board shall schedule a hearing to hear the protest of the employee. At the discretion of the employee the hearing may be private or open to the public. In conducting a hearing the proceedings shall be informal and it shall be assumed that the action complained of was taken in good faith unless proved otherwise. If the Board finds the action was based on political considerations or that the proper procedure was not followed as provided by this act the employee shall be reinstated to his former position without loss of pay. In all other cases wherein the Board does not sustain the dismissal action, the board's findings and recommendations shall be advisory in nature, and the Board of Commissioners shall affirm, reverse or modify the original action.

(e) Resignation. An employee may resign in good standing by filing his reasons with the appointing authority. An employee resigning in good standing may be reinstated to any position in the same class if there is need for his services within two years after the date of resignation.

Section 13. Records to be maintained by the board. The Personnel Board shall maintain adequate records of the proceedings of the Personnel Board, and of its own official acts, the examination record of every candidate, and the employment record of every employee.

Section 14. Investigations, hearings; authority to call employees. During the course of any investigation or hearing the Personnel Board may request any employee of the city to attend and give witness. Any employee refusing to do so may be subject to disciplinary action as provided in Section 12.

Section 15. Political appointments and activities prohibited. Employees in the classified service shall be selected without regard to political considerations, shall not contribute to any political purpose, and shall not actively participate in any campaign for an elective city position.

Section 16. Expenses of the board. The governing body of the City of Decatur shall make necessary appropriations to finance the administration of the personnel and merit system and the expenses of the Personnel Board, including the payment of salaries of such full and part-time employees needed by such board to carry out the provisions of said system.

Section 17. Severability. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 18. Repealer. All laws or parts of laws which conflict with this act are repealed.

Section 19. Effective date. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared B. C. Skeleton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 24, July 31, August 7, and August 14, all in the year 1961.

B. C. SHELTON.

Sworn to and subscribed before me this 14th day of August, 1961.

R. H. JERVIS,
Title Notary Public.

My commission expires Oct. 15, 1961.

By Messrs. Brewer and Gilchrist (with notice and proof):

H. 1376. To prohibit the exercise of corporate or governmental functions in Morgan County by municipal corporations whose corporate limits do not lie within or extend into and embrace territory lying within the county.

Local Legislation No. 1.

Notice and Proof H. 1376:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MORGAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To prohibit the exercise of corporate or governmental functions in Morgan County by municipal corporations whose corporate limits do not lie within or extend into and embrace territory lying within the county.

Be It Enacted by the Legislature of Alabama:

Section 1. A municipality whose corporate limits do not lie within or extend into and embrace and include a portion of Morgan County shall not have or exercise police jurisdiction within Morgan County; nor shall any such municipality exercise police jurisdiction, police powers or taxing powers within Morgan County, or over or on any person in Morgan County

or for the exercise of any business, trade or profession done in Morgan any such municipality levy, fix or collect any license or fee of any kind on or for the exercise of any business, trade or profession done in Morgan County; nor shall any ordinance of any such municipality enforcing police or sanitation regulations or prescribing fines or penalties for violation thereof have force or effect in Morgan County.

Section 2. This Act shall become operative thirty days after its enactment.

Section 3. All laws, local, general and special in conflict herewith applicable to Morgan County are expressly repealed.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional such declarations shall not affect the part which remains.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack W. Hoffhaus, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Hartselle Enquirer, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 11, May 18, May 25, and June 1, all in the year 1961.

JACK W. HOFFHAUS.

Sworn to and subscribed before me June 6, 1961.

ESTELLE J. ODEN,
Title Notary Public.

By Messrs. Brewer and Gilchrist (with notice and proof):

H. 1377. To define, regulate and license barbers and barber colleges, and other like businesses in Morgan County; to create a Barbers Commission for said county; to fix the powers and duties of said Commission; and to provide a penalty for the violation of the provisions hereof.

Local Legislation No. 1.

Notice and Proof H. 1377:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MORGAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To define, regulate and license barbers and barber colleges, and other like businesses in Morgan County; to create a Barbers Commission for said county; to fix the powers and duties of said Commission; and to provide a penalty for the violation of the provisions hereof.

Be It Enacted by the Legislature of Alabama:

Section 1. After this Act takes effect it shall be unlawful for any person, co-partnership, association or corporation to act as a barber, operate a barber college, barber shop or other like business, to advertise or assume to act as such without a license issued by the Barbers' Commission of Morgan County. No co-partnership, association or corporation shall be granted a license, unless every member or officer of said co-partnership, association or corporation, who actively engages in the barber business, barber college or like business of such co-partnership, association or corporation, shall hold a license as a barber as hereinafter provided for.

Section 2. A barber, barbershop, barber college or other like business within the meaning of this Act is any person, firm, partnership, co-partnership, association or corporation, who, for a valuable consideration or hire, shaves or trims the beard; gives facial or scalp massages, or treats the same with oils or other preparations, singes, shampoos, cuts or dyes the hair of a human being, or applies hair tonic or other cosmetic preparations, clays, or lotions to the scalp, neck or face, or engages in the teaching of any person or persons in the art of barbering as in this paragraph defined. Provided, however, the provisions of this Act shall not apply to (1) persons engaged in the practice of medicine, surgery or beauty culture, (2) persons actively engaged in the military service of the United States Government while acting in line of duty, (3) registered nurses in the course of their employment as such, (4) persons who render any of said services to members of their immediate families, or other persons who receive such services without charge therefor.

Section 3. There is hereby created a Barbers' Commission for Morgan County, State of Alabama. The Governor shall appoint three persons, each of whom immediately prior to the date of his appointment has been a resident of Morgan County, State of Alabama, for three years and who has had at least five years' experience as a barber, one member to be appointed for a term of one year, one member to be appointed for a term of two years, and one member to be appointed for a term of three years, and thereafter the term of any member appointed and qualified to succeed the members of the Barbers' Commission for Morgan County first appointed shall be for three years and until their successors are appointed and qualified. Members to fill vacancies shall be appointed and vacancies caused by the expiration of the term of any person appointed shall be selected in the manner following: The Commission shall, sixty days prior to the expiration of the term of any commissioner or the Chairman of the Barbers' Commission for Morgan County, give notice in writing to the licensed barbers of Morgan County that such vacancy will be created on the date of the expiration of the term of the commissioner whose term is about to expire; or if a vacancy be caused for any reason other than the expiration of the term the Barbers' Commission for Morgan County shall within thirty days after such vacancy is created give notice to the licensed barbers of Morgan County of such vacancy, calling upon the said barbers to suggest to the Barbers' Commis-

sion for Morgan County the names of three barbers to fill the vacancy or vacancies thus occasioned; to that end a ballot shall be prepared and enclosed in the letter notifying the barbers of the vacancy or vacancies thus created, the said ballot reading: "I hereby nominate for appointment by the Governor of the State of Alabama to the Barbers' Commission for Morgan County, Alabama, one of the following named three persons:

_____,"

_____,"

_____,"

The ballots shall be numbered and identified in such manner as to prevent anyone employing any ballot other than that forwarded the licensed barber entitled to vote and in addition to the ballot the Barbers Commission for Morgan County shall forward the licensed barber an envelope addressed to the Barbers' Commission for Morgan County and properly stamped with postage of the United States Government. When the ballots are returned to the Barbers' Commission for Morgan County they shall be opened on a day designated in the notification forwarded the duly licensed barbers of Morgan County in the presence of the commissioners of the Barber's Commission for Morgan County then serving, and the ballots shall be counted, and the names of the three barbers who shall receive the greatest number of votes shall be selected as the three nominees of the Barbers' Commission for Morgan County and the Barbers' Commission for Morgan County shall then certify to the Governor of the State of Alabama the names of the three barbers receiving the highest number of votes, and the Governor shall appoint one of the three persons thus designated to fill the vacancy created. If more than one vacancy exists at any time there shall be nominated in the manner hereinabove designated and certified to the Governor three nominees for each such vacancy so that if there be one vacancy there shall be three nominees, if there be two vacancies there shall be six nominees, and if there be three vacancies there shall be nine nominees certified to the Governor of Alabama, who shall select for appointment one nominee from each group thus nominated. The Commission immediately upon the qualification of the member appointed each year shall organize by selecting from its members a Chairman, and may do all things necessary or convenient for carrying into effect the provisions of this Act. Each member of the Commission shall receive as full compensation for each day actually spent in the work of said Commission the sum of six dollars per day and his actual and necessary expenses thereby incurred. The Commission shall appoint and at its pleasure discharge, a secretary-treasurer and such assistants as may be deemed necessary to discharge the duties imposed by the provision of this Act: The Treasurer so appointed shall be required to enter into a bond to be approved by the Commission in the sum of not less than One Thousand Dollars (\$1,000.00) conditioned to pay any shortage or loss of funds on hand by said Treasurer during his term of office or at the time that he is holding office. Said Commission shall outline the duties and fix the compensation of the Treasurer. The Commission shall obtain such office space, furnishings, and other proper conveniences as shall be reasonably necessary for carrying out of the provisions of this Act. The principal office of said Commission shall be located in the City of Decatur, provided, however, that upon the request of said Commission, the Board of Revenue and Control shall furnish an office in the Court House without charge. The Commission shall adopt a seal with such design as it may prescribe, engraved thereon, by which it shall authenticate its proceedings. The Commission shall make appropriate rules and regulations for the administration of the office of the Commission and for the purpose of carrying out the provisions of this Act. In addition thereto, the Commis-

sion is empowered to make reasonable inspection of the barbers and barber shops of Morgan County to the end that they observe proper methods of sanitation and sterilization in and about the conduct of their business. Copies of all records and papers in the office of the Commission duly certified and authenticated by its seal shall be received in evidence in all courts with like effects as the original. All records kept in the office of the Commission under authority of this act shall be open to public inspection under such rules and regulations as shall be prescribed by the Commission. All fees and charges collected by the Commission under the provisions of this Act, shall be paid into the Treasury of the Commission; said funds shall be used and kept exclusively in the hands of the Treasurer of this Commission, and shall be used under the direction of the Commission, not inconsistent with this Act. Funds may be disbursed by an order of the Commission on a check being drawn by the Treasurer against such funds, as may be on hand, and approved by the Chairman of the Board for the purpose of paying all expenses incurred by the Commission, including the compensation of members and their employees and their assistants and the Treasurer, provided the total expenses for every purpose incurred shall not exceed the total fees and charges collected and paid into the Treasury of this Commission, and all monies remaining in said separate fund at the end of the fiscal year not expended as herein provided, shall become a part of the funds of said Commission and shall be retained by the said Commission and may be deposited in any bank on Savings Account or otherwise.

Section 4. A barber's college or school, before it shall be issued a license by the Barbers' Commission, must comply with the requirements and standards as follows:

a. Require as a prerequisite to admission, a diploma or other proof of graduation from a grammar school, or satisfactory completion of an examination devised or approved by the Commission, showing knowledge equal to such education.

b. Require as a prerequisite to graduation, satisfactory completion of a course of instruction of not less than one thousand (1,000) hours, to be completed over a period of not less than nine months of continuous instruction of not more than eight hours in any one day.

c. Such course of instruction shall include the following, or like and equal, subjects: scientific fundamentals of barbering; hygienic bacteriology; histology of the hair, skin, muscles, and nerves; structure of the head, face, and neck; elementary chemistry relating to sterilization and antiseptics; diseases of the skin and hair; massaging and manipulating the muscles of the scalp, face, and neck; and haircutting, shaving, and bleaching and dyeing of the hair.

In order to receive a license as an apprentice barber an applicant must meet the following requirements:

a. He must have graduated from a barber's school or college that is approved by the Commission.

b. Be seventeen years of age, or older.

c. Be of good moral character and temperate habits.

d. Pass an examination conducted by the Commission to determine his fitness to practice as an apprentice barber.

e. Meet all the other requirements of this Act as it applies to apprentice barbers.

In order to receive a license as a barber an applicant must meet the following requirements:

a. He must be a licensed apprentice barber and have practiced as such under the immediate personal supervision of a licensed barber for a period of not less than twelve months.

b. Be eighteen (18) years of age, or older.

c. Be of good moral character and temperate habits.

d. Pass an examination conducted by the Commission to determine his fitness to practice barbering, such examination to include factors to determine the applicants general educational level as well as his knowledge and skill of barbering. The examination shall be conducted with a view of determining whether the applicant has general knowledge equal to an elementary school education or its equivalent, whether he has a thorough knowledge of the subjects required to be taught in barber's school or college, and in examining him as to his knowledge of barbering he shall be taken to a barbers chair in a barber shop where barbers licensed under this Act are practicing barbering and given an examination that will determine his skill as a barber, by requiring him to perform any act or acts of barbering and to name any of the instruments and their parts which are used in a barber shop.

e. Meet all the other requirements of this Act as it applies to a barber.

A barber's license shall be issued without examination by the Commission to any person who, for two years immediately preceding the effective date of this Act, has been continuously engaged in the practice of barbering at one or more established places of business in Morgan County, provided he shall make application before the expiration of three years after the effective date of this Act, which application shall be accompanied by the recommendations of at least two licensed barbers doing business in Morgan County, not related to the applicant by blood or marriage, certifying that the applicant is of good reputation and qualified to practice barbering.

A licensed apprentice barber shall not independently practice barbering, but may do any and all acts constituting the practice of barbering under the immediate personal supervision of a licensed barber.

Section 5. Words used in the masculine gender in this Act include the feminine gender.

Every applicant for a barber's license, apprentice barber's license, or for a license to operate a barber shop, barber college or other like business shall apply therefore in writing on blanks prepared and furnished by the Commission. Such application shall be accompanied by the recommendation of at least two licensed barbers doing business in Morgan County, not related to the applicant by blood or marriage, certifying that the applicant is of good reputation, is qualified to practice the trade of barbering, and recommending that a license be granted him. The application shall be accompanied by a doctor's certificate certifying that the applicant has no communicable, contagious, or infectious disease.

An applicant for any license provided for under this Act who is refused such license shall be so notified in writing, along with the reason or reasons therefor, such notice to be personally delivered to the applicant or sent to his last known address by registered mail.

An applicant for a license who fails to satisfactorily complete an examination conducted by the Commission may apply for re-examination at any future meeting of the Commission.

When an applicant shall pass the examination and meet the other requirements provided for in this Act the Commission shall issue a license, the form and contents to be prescribed by the Commission, showing the Seal of the Commission and the signatures of the Commissioners. This license shall be publicly displayed in the place of business where the licensee works or operates. The Commission shall also issue to each licensee a pocket card on which shall be imprinted the Seal of the Commission and certifying that the person whose name appears thereon is a licensed barber, apprentice barber, or operator of one of the businesses named herein.

The original and annual renewal fee for each apprentice barber's and barber's license shall be ten dollars (\$10.00). The original and any subsequent examination fee for apprentice barber or barber shall be fifteen dollars (\$15.00). The original and annual renewal fee for operating a barber college or school shall be two hundred and fifty dollars (\$250.00).

Any licensed barber or apprentice barber who retires from the practice of barbering and fails to keep his license renewed, may, for a period of two years after the expiration date of his last license, renew his license upon payment of a restoration fee of ten dollars (\$10.00) in addition to the license fee, and by furnishing the proper health certificate and by registered mail to the last known address of such applicant or licensee. At all hearings the applicant or licensee shall have the opportunity to be heard in person or by counsel or both and shall have the right of attendance of witnesses in his behalf. In the preparation and conduct of the hearings, the Commission shall have the power to require by subpoena the appearance and testimony of witnesses and the production of papers, and any member of the Commission may issue subpoenas, administer oaths, and examine witnesses. The fees and mileage shall be the same as prescribed by law in judicial procedure in the courts of the State in civil cases. In case of disobedience to a subpoena, any member of the Commission may invoke the aid of any court of competent jurisdiction in requiring the attendance and testimony of witnesses and the production of papers, and such court may issue an order requiring the persons to appear before the Commission, and give evidence, or produce papers, as the case may be, and any failure to obey such order of the court may be punished by the court as a contempt thereof. Any person so refusing to appear and give testimony required by such Commission shall be guilty of a misdemeanor, and upon conviction thereof by a court of competent jurisdiction, shall be punished as provided by law. If the Commission shall determine that any applicant is not qualified to receive a license, or that any licensee is guilty of a violation of any of the provisions of this Act, a license shall not be granted, or the same shall be revoked as the case may require. Upon the request of the applicant or licensee in writing, the Commission shall furnish said party with a definite statement of its findings of facts and its reason or reasons for refusing to grant the license or for its suspension or revocation of same. The findings of the Commission may be appealed to the Circuit Court of Morgan County, provided an appeal is taken within ten days after such final determination of the Commission. Any person desiring to appeal under this section shall file with the Commission or some member thereof, a notice in writing that he appeals to the Circuit Court with at least one solvent surety payable to the County of Morgan, conditioned to prosecute such appeal to effect, and upon failure to do so, to pay all costs and damages which may be taxed against him by the Circuit Court of Morgan County, and any cause so appealed shall be tried de novo in said Circuit Court. In any of the aforesaid Commission hearings or court cases the Commission shall be represented by the County or Circuit Solicitor.

The Commission shall at least every three months hold an examination for the purpose of determining the qualifications of any applicants to become barbers or meeting the other requirements of this Act; provided, that he need not take another examination unless more than two years has elapsed.

Every license shall expire on the thirty-first day of December of each year. A licensee whose license has expired may, within thirty (30) days thereafter, have his license renewed upon making a satisfactory showing to the Commission, supported by his personal affidavit, which, in the opinion of the Commission will excuse the applicant for having failed to renew his license within the time required by this Act.

The Commission shall issue a new license to each applicant for the ensuing year, in the absence of any reason or condition that might warrant the refusal of granting the license, upon the receipt of the written request of the applicant, accompanied by the annual fee therefor and the proper physicians certificate.

The Commission may upon its own motion, and shall upon the written complaint of any three persons making out a prima facie case, investigate the actions of any licensee, and shall have the power to suspend or revoke any license issued under the provisions of this Act where the licensee has fraudulently obtained his license, or where the licensee is guilty of the violation of any state, county, or city statute or ordinance pertaining to barbering or the operation of a business affected hereby, the violation of any provision of this Act, or the violation of any rule or regulation established by the Commission.

The Commission shall, before denying an application for a license, or before suspending or revoking any license, set the matter down for hearing, and at least ten days prior to the date set for the hearing notify the applicant or licensee in writing, which notice shall contain an exact statement of the charges made, and the date and place of hearing. Such notice shall be personally delivered to the applicant or licensee or by mailing the same apprentice barbers, and shall conduct said examination in accordance with the provisions hereof and in accordance with the rules and regulations promulgated by said Commission not inconsistent with this Act. Said examination to be conducted in the city, town, or village where the principal office of the Commission is located.

Section 6. Any person violating the provisions of this Act shall upon conviction be punished by a fine of not more than five hundred dollars, or by imprisonment for a term not to exceed six months or by both fine and imprisonment in the discretion of the Court. This provision shall have application to any officer or agent of a corporation, co-partnership or association operated in violation of this Act. Any court of competent jurisdiction in said county shall have full power to try any violation of this Act, and upon conviction the Court may at its discretion revoke the license of the person, co-partnership, association or corporation violating the terms hereof. Before the Commissioners herein provided for shall receive a commission and enter upon the discharge of their duties each shall take and subscribe the oath provided by law to be taken by elective officers of the State of Alabama.

Section 7. If any section, sub-section, sentence, clause, phrase or requirement of this Act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions thereof. The Legislature hereby declares that it would have passed this Act and

each section, subsection, sentence, clause, phrase and requirements thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or requirements to be declared unconstitutional.

Section 8. All laws, or parts of laws, in conflict with this Act be, and the same are hereby repealed.

Section 9. Nothing in this Act contained shall affect the power of the State, County or municipality to tax, license and regulate persons, co-partnerships, associations or corporations, operating barber shops, barber colleges, or other like businesses. The requirements hereof shall be in addition to the requirement of any existing or future law or ordinance of any state, county or municipality so taxing, licensing or regulating persons, co-partnerships, associations or corporations operating barber shops, barber colleges or other like businesses.

Section 10. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack W. Hoffhaus, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Hartselle Enquirer, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 20, July 27, August 3, and August 10, all in the year 1961.

JACK W. HOFFHAUS.

Sworn to and subscribed before me Aug. 17, 1961.

SUE R. ROSS,
Title Notary Public.

By Messrs. Gilchrist and Brewer:

H. 1378. Relating to counties of not less than 57,000 nor more than 61,500 inhabitants according to the 1960 or any subsequent federal decennial census; providing for payment of an expense allowance to the probate judges of such counties.

Local Legislation No. 1.

By Mr. Turner (with notice and proof):

H. 1379. To amend further Section 3 of Act No. 199, H. 603, approved July 24, 1947 (Local Acts 1947, p. 113), an act to create and establish in Limestone County a court known as "The Limestone County Court", in

relation to special judges who serve in the absence of the judge of the court.

Local Legislation No. 1.

Notice and Proof H. 1379:

LEGALS

STATE OF ALABAMA COUNTY OF LIMESTONE

NOTICE is hereby given that a bill substantially as follows will be introduced into the Legislature of Alabama and application for its passage and enactment will be made to-wit:

A BILL TO BE ENTITLED AN ACT

To amend further Section 3 of Act No. 199, H. 603, approved July 24, 1947 (Local Acts 1947, p. 113), an act to create and establish in Limestone County a court known as "The Limestone County Court", in relation to special judges who serve in the absence of the judge of the court.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 3 of Act No. 199, H. 603, approved July 24, 1947 (Local Acts 1947, p. 113), an act to create and establish "The Limestone County Court," as amended, is amended further to read as follows:

"Section 3. Judge. (a) A judge of the court herein established shall be elected by the qualified electors of the county at the general election of 1948, and at the general election each four years thereafter. His term shall be for four years from the first Monday after the second Tuesday in January next after his election, and until his successor is elected and qualified. (b) The first judge of the court shall be the person holding office as judge of the court abolished by this Act, and he shall hold office until his successor is elected or appointed and assumes office as provided herein. (c) The judge shall, before entering upon the discharge of the duties of office, take the oath prescribed by Section 279 of the Constitution of Alabama. He may be removed from office for any cause enumerated in Section 173 of the Constitution and in the manner prescribed by law. No person shall be eligible to the office of judge unless he is at the time of his appointment or election a qualified elector of Limestone County, learned in the law and admitted to the practice of law by the Supreme Court of Alabama, for a period of at least three years prior to such election or appointment, and over the age of twenty five years. The judge shall not engage in the practice of law during his term of office; and he shall be subject to the same penalties and obligations as circuit judges. Any vacancy occurring in the office of judge shall be filled by appointment as provided in Section 158 of the Constitution. (d) The judge shall receive an annual salary, payable out of the general fund of the county in equal monthly installments as the salaries of other county officers are paid, which shall be governed by the gross assessed valuation of property, real and personal, tangible and intangible, in Limestone County, as shown by the records of the Tax Assessor of Limestone County as follows: When the tax assessor's records show that the gross assessed valuation of such prop-

erty for the tax year ending on the thirtieth day of September of any year was less than eleven million dollars (\$11,000,000) the salary of the judge for the year beginning on the first day of the next January shall be three thousand six hundred dollars (\$3,600); when these records show the gross assessed valuation is eleven million dollars (\$11,000,000) or more but less than eleven million two hundred and fifty thousand dollars (\$11,250,000) the salary of the judge for the year beginning on the first day of the next January shall be three thousand eight hundred dollars (\$3,800); when these records show the gross assessed valuation is eleven million two hundred fifty thousand dollars (\$11,250,000) or more but less than eleven million five hundred thousand dollars (\$11,500,000) the salary of the judge for the year beginning on the first day of the next January shall be four thousand dollars (\$4,000) when these records show the gross assessed valuation is eleven million five hundred thousand dollars (\$11,500,000) or more but less than twelve million dollars (\$12,000,000) the salary of the judge for the year beginning on the first day of the next January shall be four thousand two hundred dollars (\$4,200); when these records show the gross assessed valuation is twelve million dollars (\$12,000,000) or more but less than twelve million five hundred thousand dollars (\$12,500,000) the salary of the judge for the year beginning on the first day of the next January shall be four thousand eight hundred dollars (\$4,800); when these records show the gross assessed valuation is twelve million five hundred thousand dollars (\$12,500,000) or more but less than thirteen million dollars (\$13,000,000) the salary of the judge for the year beginning on the first day of the next January shall be five thousand four hundred dollars (\$5,400); when these records show the gross assessed valuation is thirteen million dollars (\$13,000,000) or more but less than thirteen million five hundred thousand dollars (\$13,500,000) the salary of the judge for the year beginning on the first day of the next January shall be six thousand dollars (\$6,000); when these records show the gross assessed valuation is thirteen million five hundred thousand dollars (\$13,500,000) or more but less than fourteen million dollars (\$14,000,000) the salary of the judge for the year beginning on the first day of the next January shall be six thousand five hundred dollars (\$6,500); and when these records show the gross assessed valuation is fourteen million dollars (\$14,000,000) or more the annual salary of the judge for the succeeding calendar years shall be seven thousand dollars (\$7,000). (e) The judge shall have authority to: 1) grant writs of habeas corpus, certiorari, supersedeas, quo warranto, mandamus, and all other remedial and original writs which are grantable by the circuit judges; 2) grant writs of injunction and ne exeat; 3) administer oaths and take acknowledgments; 4) exercise such other powers, jurisdiction or authority as may be conferred by law upon circuit judges, judges of juvenile or county courts, and justices of the peace, except as otherwise provided herein. (f) The judge shall keep an office in the county courthouse. His office shall be suitably equipped, furnished and provided, at the expense of the county, with such office supplies and stationery, stamps, furniture, fixtures, telephone and other facilities as may be necessary for the transaction of the business of the court. (g) In the event of the absence of the judge because of illness, vacation, or disqualification, a special judge shall be appointed as provided by Section 160 of the Constitution and Section 124 of Title 13 of the 1940 Code, who shall be paid ten dollars for each day or fraction thereof that he serves, out of the general fund of the county; provided, however, that the county shall not pay more than \$300 during any calendar year for such services. The judge shall personally pay for the services rendered by special judges in excess of those authorized to be paid by the county."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Steele McGrew, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Alabama Courier, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 20, July 27, Aug. 3, and Aug. 10, all in the year 1961.

STEELE MCGREW.

Sworn to and subscribed before me Aug. 16, 1961.

LOLA L. ORR,
Title Notary Public.

By Messrs. Ferguson and Callahan:

H. 1380. To create the office of commissioner of licenses in counties in Alabama having a population of not less than ninety five thousand (95,000) people and not more than one hundred fifteen thousand (115,000) people, according to the last and any subsequent decennial Federal census; to prescribe the powers, duties, and authority of the commissioner; to provide for the appointment of such commissioner, the fixing of his salary, and the furnishing of quarters, supplies, and assistants to him; to transfer to such officer the duties of the probate judge relative to the issuance of licenses and the distribution of motor vehicle license tags, the duties of the tax assessor and tax collector, respectively, relative to assessing and collecting ad valorem taxes on motor vehicles, and all the duties of the license inspector of such county; to relieve the above named officer of the duties so transferred; and to prescribe the manner in which certain of the duties hereby imposed on the commissioner of licenses shall be prescribed.

Local Legislation No. 1.

By Messrs. Callahan and Ferguson:

H. 1381. To provide for official court reporters in all circuit courts in all counties in the State of Alabama having a population of not less than 100,000 nor more than 115,000 inhabitants according to the last preceding or any subsequent federal decennial census; to fix the duties and status and authority of such court reporters; and to provide for the appointment of such court reporters by each circuit judge in such counties and to provide for the compensation and salary of such court reporters.

Local Legislation No. 1.

By Mr. Callahan (with notice and proof):

H. 1382. To alter the corporate limits of the City of Tuscaloosa Alabama and to rearrange and define the boundaries thereof.

Local Legislation No. 1.

Notice and Proof H. 1382:

LEGAL NOTICE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter the corporate limits of the City of Tuscaloosa Alabama, and to rearrange and define the boundaries thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the City of Tuscaloosa, in the County of Tuscaloosa, State of Alabama, be and the same are hereby altered and rearranged so as to exclude from corporate limits of the said City of Tuscaloosa all of the territory in Tuscaloosa County, Alabama and described as follows:

Part of the south half of the Northeast Quarter of Section 29, Township 21 South, Range 9 West described as follows: Begin at the northwest corner of the Southeast Quarter of the Northeast Quarter of said Section 29, Township 21 South, Range 9 West, thence east along the north line of said Southeast Quarter a distance of four hundred twenty-seven (427) feet to a point; thence southeastwardly a distance of three hundred seventy-three (373) feet to a point on the north boundary of Shannon Drive, which point is one hundred forty (140) feet west of the intersection of the north line of said Shannon Drive and the west line of 34th Avenue East (Lewis Lane); thence west along the north boundary of Shannon Drive a distance of sixty-nine (69) feet to a point; thence south parallel to Lewis Lane a distance of two hundred thirty-four (234) feet to a point; thence west parallel with the Loop Road a distance of two hundred twenty-nine (229) feet to a point; thence northwardly parallel with Lewis Lane a distance of fifty-three (53) feet to a point; thence northwardly parallel with Winters Drive a distance of sixty-one (61) feet to a point; thence westwardly parallel with Shannon Drive a distance of five hundred twenty-seven and five tenths (527.5) feet to a point, which point is the northeast corner of Lot 4 of Block C of Holloman Subdivision No. 1, a plat of which is recorded in Plat Book 5 at Page 7 in the Office of the Probate Judge of Tuscaloosa County, Alabama; thence continue westwardly along the north line and the extension westwardly thereof to a point on the west boundary of Shannon Drive; thence along the west boundary of Shannon Drive to the intersection of the north boundary of 22nd Street East and the west boundary of said Shannon Drive; thence west along the north boundary of 22nd Street East a distance of two hundred fifty (250) feet; thence northwardly parallel to the east line of the Southwest Quarter of the Northeast Quarter of said Section 29 a distance of nine hundred twenty-five and five tenths (925.5) feet to a point on the north line of said Southwest Quarter of the Northeast Quarter of said Section 29; thence east along said north line a distance of six hundred and thirty hundredths (600.30) feet to the point of beginning.

Section 2. That this act shall take effect immediately after its passage and approval by the governor or its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
TUSCALOOSA COUNTY

I hereby certify that the attached notice was published in Graphic, a newspaper published in and having a general circulation in the City and County of Tuscaloosa, Alabama, once a week for four consecutive weeks: viz July 20, July 27, August 3, and August 10, 1961.

BETTY PEARY,
Legal Clerk.

Subscribed and sworn to before me on this the 10th day of August, 1961.

KARL S. ELEBASH, JR.,
Notary Public.

By Messrs. McLendon (Bullock) and Powell (with notice and proof):

H. 1383. To extend, alter and rearrange the boundary and corporate limits of the city of Union Springs, in Bullock County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 1383:

LEGAL

NOTICE IS HEREBY GIVEN THAT DURING THE REGULAR SESSION OF THE 1961 LEGISLATURE THERE WILL BE INTRODUCED THE FOLLOWING BILL:

A BILL
TO BE ENTITLED
AN ACT

To extend, alter and rearrange the boundary and corporate limits of the city of Union Springs, in Bullock County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the corporate limits of the city of Union Springs, in Bullock County, Alabama, be and the same are hereby extended, altered and rearranged so as to include within the corporate limits of said City all of the following adjacent territory:

Beginning at the West Boundary of the present City Limits which is located on the Union Springs-Montgomery Highway known as U. S. 82, on the North Right-of-Way line of said U. S. 82, thence North along the present City Limits line a distance of 165 feet, thence South 61 degrees 15' West leaving the present City Limits Boundary line a distance of 605 feet to the North Right-of-Way line of U. S. Highway 82, thence Westerly along the North Right-of-Way line of U. S. 82 a distance of 410 feet, thence South across U. S. 82 a distance of 100 feet to the South Right-of-Way line of U. S. 82, which point is the intersection of the West property line of the Jack Mason property and the South Right-of-Way line of U. S. 82 and being

the Northwest corner of the Jack Mason property, thence South 12 degrees 00' East along the said West property line of said Jack Mason property a distance of 220 feet, thence South 89 degrees 30' East a distance of 76 feet, then South 77 degrees 00' East a distance of 81 feet, thence South 69 degrees 30' East a distance of 194 feet, thence South 14 degrees 40' East a distance of 40 feet, thence South 19 degrees 00' East a distance of 67 feet, thence South 34 degrees 25' East a distance of 244 feet, thence South 22 degrees 00' East a distance of 108 feet, thence North 88 degrees 30' East a distance of 271 feet, thence South 7 degrees 30' West a distance of 272 feet, thence East a distance of 371 feet to the West Right-of-Way line of South Baskin Street also known as the Sardis Road, thence Northeasterly along the West Right-of-Way line of said South Baskin Street a distance of 591 feet to the Intersection of the West Right-of-Way of South Baskin Street and the South Right-of-Way of Lock Avenue, thence South 88 degrees 30' West along the South Right-of-Way line of Lock Avenue a distance of 422 feet to the present City Limits Boundary, thence North along the present City Limits Boundary line a distance of 710 feet to the point of beginning.

Lying in the SE¼ of Section 3, Township 13 North, Range 23 East.

Section 2. That all laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Section 3. This Act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA BULLOCK COUNTY

Before me, Rubye M. Garner, a Notary Public, in and for said State and County, personally appeared Wm. H. Garner, Publisher of the Union Springs Herald, a newspaper published at Union Springs, Bullock County, Alabama, who being duly sworn states on oath that he published a legal notice, a bill to be entitled an act to extend, alter and rearrange the boundary and corporate limits of the City of Union Springs, a true copy of which is attached hereto, was published in said newspaper for 4 consecutive weeks, in its issues of July 27, 1961, August 3, 1961, August 10, 1961, August 17, 1961.

W. H. GARNER,
Publisher.

Sworn to and subscribed before me this 17 day of August, 1961.

RUBY M. GARNER,
Notary Public.

By Messrs. Pierce, Bailey, Goodwyn and Goldthwaite:

H. 1384. To provide for the appointment, duties, qualifications, term, compensation and assistant of the coroner in counties having populations of not less than 150,000 nor more than 300,000, according to the most recent federal decennial census.

Local Legislation No. 1.

By Messrs. Johnston (Leonard) and Johnson (Hardaway) (with notice and proof):

H. 1385. Relating to Elmore County; levying a license tax on persons and others engaging in selling tangible personal property at retail and on persons and others conducting places of amusement in said county, the said tax to be measured by the gross receipts or gross proceeds of such businesses; levying an excise tax on the storage, use or other consumption in said county of tangible personal property purchased for use, storage or other consumption in said county; specifying sales and transactions that are exempt from the measurement of the said license tax; specifying property the use, storage or other consumption of which is exempt from the said excise tax; providing for payment of said taxes, making reports and maintaining records with respect thereto, the collection of the said taxes, and the enforcement of the provisions of this act; making applicable to the taxes herein levied and adopting by reference, certain provisions of Act No. 100 adopted at the 1959 Second Special Session of the Legislature of Alabama and of Article 11 of Chapter 20 of Title 51 of the Code of Alabama, as amended; providing that the Commissioner of Revenue and the State Department of Revenue shall have all powers and duties respecting the taxes herein levied and the collection thereof that they have under said Act No. 100 and said Article 11, as amended as aforesaid; providing for collection of said excise tax by sellers registered under Section 790 of Title 51 of the Code of Alabama of 1940, as amended; providing that the said license tax shall be added to the sales price or admission fee and passed on to the purchaser or person paying the said admission fee; providing for a discount to persons subject to the said license tax and to such registered sellers; providing for a charge by the State Department of Revenue for collecting the taxes herein levied; and providing for the use of the revenues from said taxes.

Local Legislation No. 1.

Notice and Proof H. 1385:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF ELMORE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Elmore County; levying a license tax on persons and others engaging in selling tangible personal property at retail and on persons and others conducting places of amusement in said county, the said tax to be measured by the gross receipts or gross proceeds of such businesses; levying an excise tax on the storage, use or other consumption in said county of tangible personal property purchased for use, storage or other consumption in said county; specifying sales and transactions that are exempt from the measurement of the said license tax; specifying property the use, storage or other consumption of which is exempt from the said excise tax; providing for payment of said taxes, making reports and maintaining records with respect thereto, the collection of the said taxes,

and the enforcement of the provisions of this act; making applicable to the taxes herein levied, and adopting by reference, certain provisions of Act No. 100 adopted at the 1959 Second Special Session of the Legislature of Ala. and of Article 11 of Chap. 20 of Title 51 of the Code of Alabama, as amended; providing that the Commissioner of Revenue and the State Department of Revenue shall have all powers and duties respecting the taxes herein levied and the collection thereof that they have under said Act No. 100 and said Article 11, as amended as aforesaid; providing for collection of said excise tax by sellers registered under Section 790 of Title 51 of the Code of Alabama of 1940, as amended; providing that the said license tax shall be added to the sales price or admission fee and passed on to the purchaser or person paying the said admission fee; providing for a discount to persons subject to the said license tax and to such registered sellers; providing for a charge by the State Department of Revenue for collecting the taxes herein levied; and providing for the use of the revenues from said taxes.

Be It Enacted by the Legislature of Alabama:

Section 1. Meaning of Terms Used in This Act. The following words, terms and phrases where used in this act shall have the following respective meanings, except where the context clearly indicates a different meaning: "this State" means the State of Alabama; "Elmore County" means Elmore County in this State; "State Sales Tax statutes" means Act No. 100 adopted at the 1959 Second Special Session of the Legislature of Alabama; "State Sales Tax" means the tax imposed by the State Sales Tax statutes; "State Use Tax statutes" means Article 11 of Chapter 20 of Title 51 of the Code of Alabama of 1940 as the said Article 11 has been amended; "State Use Tax" means the tax imposed by the State Use Tax statutes; "registered seller" means the person registered with the State Department of Revenue pursuant to Section 790 of Title 51 of said Code, as heretofore amended; "month" means a calendar month; "quarterly period" means the period of three months ending on the last day of each March, June, September, or December; "fiscal year" means the period commencing on October 1 of each calendar year and ending on September 30 of the next succeeding calendar year. In addition to the foregoing definitions, all words, terms and phrases that are defined in the State Sales Tax statutes or in the State Use Tax statutes shall, where used in this act, have the meanings respectively ascribed to them in the State Sales Tax statutes or in the State Use Tax statutes, as the case may be, except where the context herein clearly indicates a different meaning.

Section 2. Levy of License Tax Measured by Gross Sales or Gross Receipts. There is hereby levied in Elmore County, in addition to all other taxes of every kind now imposed by law, and shall be collected as herein provided, a privilege or license tax against the person on account of the business activities and in the amount to be determined by the application of rates against gross sales, or gross receipts, as the case may be, as follows:

(a) Upon every person, firm or corporation engaged or continuing within Elmore County, in the business of selling at retail any tangible personal property whatsoever, including merchandise and commodities of every kind and character (not including, however, bonds or other evidences of debts or stocks), an amount equal to one per cent (1%) of the gross proceeds of sales of the business except where a different amount is expressly provided herein; provided, however, that any person engaging or continuing in business as a retailer and wholesaler or jobber shall pay the tax required on the gross proceeds of retail sales of such business at

the rates specified, when his books are kept so as to show separately the gross proceeds of sales of each business, and when his books are not so kept he shall pay the tax as a retailer, on the gross sales of the business.

(b) Upon every person, firm or corporation engaged or continuing, within Elmore County, in the business of conducting or operating places of amusement or entertainment, billiard and pool rooms, bowling alleys, amusement devices, musical devices, theaters, opera houses, moving picture shows, vaudeville, amusement parks, athletic contests, including wrestling matches, prize fights, boxing and wrestling exhibitions, football and baseball games (including athletic contests conducted by or under the auspices of any educational institution within this State, or any athletic association thereof, or other association whether such institution or association be a denominational, a state, a county, or a municipal institution, or association, or a state, county, or city school, or other institution, association or school) skating rinks, race tracks, golf courses, or any other place at which any exhibition, display, amusement or entertainment is offered to the public or place or places where an admission fee is charged, including public bathing places, public dance halls of every kind and description within Elmore County, an amount equal to one per cent (1%) of the gross receipts of any such business;

provided, that there are exempted from the provisions of this section and from the computation of the amount of the tax imposed in this section the gross receipts of any business and the gross proceeds of all sales which are exempted under the State Sales Tax statutes from computation of the amount of the State Sales Taxes; and there are likewise exempted the gross proceeds of sales of automotive vehicles, truck trailers and semi-trailers, machines and machinery used in the mining, quarrying, compounding, processing and manufacturing of tangible personal property, and the parts of such machines and machinery and the attachments and replacements therefor which are made or manufactured for use on or in the operation of such machines and machinery and are customarily used in the operation thereof.

Section 3. Levy of Excise Tax on Use, Storage and Consumption of Tangible Personalty. An excise tax is hereby imposed on the storage, use or other consumption in Elmore County of tangible personal property purchased at retail, on or after the first day of October, 1961, for storage, use or other consumption in Elmore County, at the rate of one per cent (1%) of the sales price of such property, regardless of whether the retailer is or is not engaged in business in Elmore County or in this State; provided, however, that there are exempted from the provisions of this section and the tax imposed in this section the storage, use or other consumption of property the storage, use or other consumption of which are exempted under the State Use Tax statutes from the State Use Tax; and there are likewise exempted the storage, use or other consumption of any automotive vehicles, truck trailer or semi-trailer purchased at retail, and any machine or machinery used in mining, quarrying, compounding, processing or manufacturing of tangible personal property, including the parts of such machines or machinery and attachments and replacements therefor. Subject to the exemptions provided for in the preceding sentence, every person storing, using or otherwise consuming in Elmore County tangible personal property purchased at retail shall be liable for the tax imposed by this section, and the liability shall not be extinguished until the said tax has been paid by such person as herein provided; provided, however, that a receipt from a registered seller given, pursuant to Section 5 of this act, to the purchaser of any property to be used, stored or consumed in Elmore County shall be sufficient to relieve the purchaser from further liability for a tax to which such receipt may refer.

Section 4. Due Dates and Payment of, and Reports Respecting, the Taxes herein Levied. All taxes levied in this act shall be paid to and collected by the State Department of Revenue at the same time and along with the collection of the State Sales Tax and the State Use Tax. On or prior to the due dates of the taxes herein levied each person subject to said taxes, shall file with the State Department of Revenue a report or return in such form as may be prescribed by the department, setting forth, with respect to all sales and business that are provided in Section 2 hereof to be used as a measurement of the tax levied in said Section 2, a correct statement of the gross proceeds of all such sales and the gross receipts of all such business and setting forth, with respect to the tax levied in Section 3 hereof, the total sales price of all property, the use, storage, or other consumption of which became subject to the tax imposed by said Section 3 during the then preceding quarterly period; provided, however, that said reports shall include also such other items of information pertinent to the said taxes and the amount thereof as the State Department of Revenue may require. Any person subject to the taxes levied in Section 2 hereof may defer reporting credit sales until after their collection and, in the event he so defers reporting them, he shall thereafter include in each monthly report all credit collections made during the month preceding, and shall pay the taxes due thereon at the time of filing such report. All reports or returns filed with the State Department of Revenue under this section shall be available for inspection by the governing body of Elmore County, or its designated agent, at reasonable times during business hours.

Section 5. Collection, Payment and Report by Registered Sellers of Tax Levied in Section 3 hereof. Every registered seller regularly and continually making sales of tangible personal property for storage, use or other consumption in Elmore County (which storage, use or other consumption is not herein exempted from the tax imposed in Section 3 hereof) shall at the time of making such sales or, if the storage, use or other consumption of such tangible personal property in Elmore County is not then taxable under this act, at the time such storage, use or other consumption becomes taxable hereunder, collect the tax imposed by Section 2 of this act from the purchaser, and shall give to the purchaser a receipt therefor in the manner and form prescribed by the State Department of Revenue. On the twentieth day of the month following the close of each quarterly period provided for in Section 4 hereof, each registered seller shall file with the State Department of Revenue a return for the preceding quarterly period in such form as may be prescribed by the department, showing the total sales price of the tangible personal property sold by such registered seller, the storage, use or other consumption of which became subject to the tax imposed by Section 3 of this act during the then preceding quarterly period; and each return shall be accompanied by a remittance of the amount of the tax herein required to be collected by such registered seller during the period covered by the return; provided, that any registered seller may defer collecting the tax with respect to credit sales until collection of the proceeds of such sales and may defer reporting credit sales until after their collection, but shall thereafter collect the said taxes along with collection of said credit sales and shall include in each quarterly report all credit collections made during the preceding quarterly period, and shall remit the taxes with respect thereto at the time of filing such report or return. Any person who has paid to a registered seller the tax with respect to the use, storage or other consumption of tangible personal property in Elmore County need not file a report or make any further payment of the said tax, but each person who purchases tangible personal property, the storage use or other consumption of which is subject to the tax imposed by Section 3 of this act and who has not paid the tax due with respect

thereto to a registered seller, shall report and pay the tax as required by Section 4 hereof.

Section 6. Tax to be Passed on to Purchaser, User or Consumer. Each person engaging or continuing within Elmore County in a business subject to the taxes levied in Section 2 of this act shall add to the sales price or admission fee and collect from the purchaser or the person paying the admission fee the amount due by the taxpayer on account of said taxes levied in said Section 2; and every registered seller shall likewise add to the sales price and collect from the purchaser the amount of any tax which such registered seller is required by Section 5 hereof to collect. It shall be unlawful for any person subject to the tax levied in said Section 2 to fail or refuse to add to the sales price or admission fee and to collect from the purchaser or person paying the admission fee the amount herein required to be so added to the sales or admission price and collected from the purchaser, and it shall likewise be unlawful for any person subject to said tax to refund or offer to refund all or any part of the amount so collected or to absorb or advertise directly or indirectly the absorption or refund of said tax or any portion thereof. It shall likewise be unlawful for any registered seller to fail or refuse to add to the sales price and to collect from the purchaser the amount of the tax imposed by Section 3 of this act or to refund or offer to refund or absorb or to advertise directly or indirectly the absorption of, said tax or any portion thereof.

Section 7. Enforcement and Collection of Taxes herein Levied; Taxes Constitute a Lien on Property of Persons from Whom Due. The taxes imposed by this act shall constitute a debt due Elmore County and may be collected by civil suit; in addition to all other methods provided by law and in this act. The said taxes, together with interest and penalties with respect thereto, shall constitute and be secured by a lien upon the property of any person from whom said taxes are due or who is required to collect said taxes. All of the provisions of the revenue laws of this State which apply to the enforcement of liens for license taxes due this State shall apply fully to the collection of the taxes herein levied, and the State Department of Revenue, for the use and benefit of Elmore County shall collect such taxes and enforce this act and shall have and exercise for such collection and enforcement all rights and remedies that this State or the department has for collection of the State Sales Tax and the State Use Tax. The State Department of Revenue shall have full authority to employ such special counsel as it deems necessary from time to time to enforce collection of the taxes authorized to be levied by this act, and to otherwise enforce the provisions of this act, including any litigation involving this act; and the department shall pay such special counsel such fees as it deems necessary and proper from the proceeds of the taxes collected by it for Elmore County.

Section 8. Adoption by Reference of State Sales Tax Statutes and State Use Tax Statutes, where Applicable. All provisions of the State Sales Tax statutes with respect to payment, assessment and collection of the State Sales Tax, making of monthly reports and keeping and preserving records with respect thereto, interest after due date of tax, penalties for failure to pay tax, make reports or otherwise comply with the State Sales Tax statutes, the promulgation of rules and regulations with respect to the State Sales Tax, and the administration and enforcement of the State Sales Tax statutes, which are not inconsistent with the provisions of this act when applied to the tax levied in Section 2 hereof, shall apply to the tax levied in the said Section 2; and all provisions of the State Use Tax statutes with respect to payment, assessment and collection of the

State Use Tax, making quarterly reports and keeping and preserving records with respect thereto, interest after due date of tax, penalties for failure to pay tax, make reports or otherwise comply with the State Use Tax statutes, the promulgation of rules and regulations with respect to the State Use Tax, and the administration and enforcement of the State Use Tax statutes, which are not inconsistent with the provisions of this act when applied to the tax levied in Section 3 hereof, shall apply to the tax levied in the said Section 3. The State Commissioner of Revenue and the State Department of Revenue shall have and exercise all of the same powers, duties and obligations with respect to the taxes levied in Section 2 and 3 hereof that are imposed on the commissioner and the department, respectively, by the State Sales Tax statutes, and the State Use Tax statutes. All provisions of the State Sales Tax statutes and the State Use Tax statutes that are made applicable in this act to the taxes herein levied and to the administration of this act are hereby incorporated herein by reference and made a part hereof as if fully set forth herein.

Section 9. Discounts allowed Retailers and Registered Sellers. Each person subject to the license tax provided for in Section 2 hereof shall be allowed and may retain, out of the taxes levied by said Section 2 and payable by such retailer, a discount equal to two per cent (2%) thereof. Each registered seller shall be allowed and may retain, out of the taxes herein required to be collected by such registered seller, a discount equal to three per cent (3%) thereof.

Section 10. Disposition of Revenues from Taxes herein Levied. The state department of revenue shall charge Elmore County for collecting the special county taxes levied such amount or percentage of total collections as may be agreed upon by the commissioner of revenue and the court of county commissioners, board of revenue, or like governing body of the county, but such charge shall not in any event exceed three per cent of the total amount of special county taxes collected hereunder within the county. Such charge for collecting the special taxes for the county may be deducted each month from the special sales and special use taxes collected before certifying the amount of the proceeds thereof due Elmore County for that month. The commissioner of revenue shall pay into the state treasury all county taxes collected under this act, as such taxes are received by the department of revenue; and on or before the first day of each successive month (commencing with the month following the month in which the department makes the first collections hereunder), the commissioner shall certify to the state comptroller the amount of taxes collected under the provisions of this act and paid by him into the state treasury for the benefit of Elmore County during the month immediately preceding the making of such certificate. Provided, however, that before certifying the amount of the taxes paid into the state treasury for the benefit of the county during each month, the commissioner may deduct from the taxes collected in said month the charges due the department for the collection of the taxes for the county. It shall be the duty of the comptroller to issue his warrant each month payable to the custodian of the public funds of Elmore County in an amount equal to the amount so certified by the commissioner of revenue as having been collected for the use of the county. The custodian of public funds for Elmore County shall deposit the revenue derived from the taxes levied herein a special account separate and apart from other county funds, and shall maintain separate records of such special account. The net revenue derived by Elmore County from the taxes levied in this act shall be used exclusively for public school purposes within the county.

Section 11. Termination of Levy. The levy of taxes herein made shall terminate at midnight on September 30, 1965. All of the provisions

of this act pertaining to payment and collection of the taxes herein levied, the making of reports and maintenance of records with respect thereto, and in general the enforcement of this act shall thereafter continue to be effective with respect to the taxes herein levied that shall have accrued hereunder prior to October 1, 1965.

Section 12. Severability Clause. In the event any section, sentence, clause or portion of this act should be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the validity of any of the remaining sections, sentences, clauses or portions of this act, which shall continue effective.

Section 13. Effective Date of Act. This act shall become effective October 1, 1961.

PROOF OF PUBLICATION

STATE OF ALABAMA

COUNTY OF ELMORE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bruce Jetton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Wetumpka Herald, a newspaper of general circulation published in Elmore County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 27, Aug. 3, Aug. 10, and Aug. 17, all in the year 1961.

BRUCE JETTON.

Sworn to and subscribed before me August 17, 1961.

MARY JO HEARD,
Title Notary Public.

By Messrs. Johnston (Leonard) and Johnson (Hardaway) (with notice and proof):

H. 1386. To amend Act No. 10, H. 61, Regular Session 1911, an act requiring the commissioners' court of Elmore County to publish the minutes of its proceedings (Local Acts of Alabama 1911, p. 11).

Local Legislation No. 1.

Notice and Proof H. 1386:

LEGAL NOTICE

STATE OF ALABAMA

COUNTY OF ELMORE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 10, H. 61, Regular Session 1911, an act requiring the commissioners' court of Elmore County to publish the minutes of its proceedings (Local Acts of Alabama 1911, p. 11).

Be It Enacted by the Legislature of Alabama:

Section 4 of Act No. 10, H. 61, Regular Session 1911, an act requiring the commissioners' court of Elmore County to publish the minutes of its proceedings (Local Acts of Alabama 1911, p. 11) is amended to read as follows:

"Sec. 4. The publisher of such newspaper shall furnish to the treasurer of said county a copy of the newspaper in which such publication is made and it shall be the duty of the treasurer to count the number of words in such minutes and to pay said publisher, on demand, for such publication at the rate of one dollar per hundred words out of any funds in the county treasury; said treasurer shall also pay to the secretary of said board for furnishing said copy at the rate of fifteen cents per hundred words out of any funds in the county treasury."

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ELMORE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bruce Jetton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Wetumpka Herald, a newspaper of general circulation published in Elmore County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 7/13/61, 7/20/61, 7/27/61, and 8/3/61, all in the year 1961.

BRUCE JETTON.

Sworn to and subscribed before me Aug. 4, 1961.

LESSIE M. KREIS,
Title Notary Public.

By Messrs. Johnston (Leonard) and Johnson (Hardaway) (with notice and proof):

H. 1387. To amend Act No. 7, H. 62, Regular Session 1911, an act requiring the board of education of Elmore County to publish the minutes of its proceedings (Local Acts of Alabama 1911, p. 8).

Local Legislation No. 1.

Notice and Proof H. 1387:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF ELMORE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 7, H. 62, Regular Session 1911, an act requiring the board of education of Elmore County to publish the minutes of its proceedings (Local Acts of Alabama 1911, p. 8).

Be It Enacted by the Legislature of Alabama:

Section 4 of Act No. 7, H. 62, Regular Session 1911, an act requiring the board of education of Elmore County to publish the minutes of its proceedings (Local Acts of Alabama 1911, p. 8) is amended to read as follows:

"Sec. 4. The publisher of such newspaper shall furnish to the treasurer of said county a copy of the newspaper in which such publication is made and it shall be the duty of the treasurer to count the number of words in such minutes and to pay said publisher, on demand, for such publication at the rate of one dollar per hundred words out of any funds in the county treasury; said treasurer shall also pay to the secretary of said board for furnishing said copy at the rate of fifteen cents per hundred words out of any funds in the county treasury."

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ELMORE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bruce Jetton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Wetumpka Herald, a newspaper of general circulation published in Elmore County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 7/13/61, 7/20/61, 7/27/61, and 8/3/61, all in the year 1961.

BRUCE JETTON.

Sworn to and subscribed before me Aug. 4, 1961.

LESSIE M. KREIS,
Title Notary Public.

By Messrs. Johnston (Leonard) and Johnson (Hardaway) (with notice and proof):

H. 1388. To amend Act No. 482, H. 839, Regular Session 1953, an act establishing the Elmore County Court (Acts 1953, vol. I, p. 600).

Local Legislation No. 1.

Notice and Proof H. 1388:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF ELMORE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Act No. 482, H. 839, Regular Session 1953, an act establishing the Elmore County Court (Acts 1953, Vol. 1, p. 600).

Be It Enacted by the Legislature of Alabama:

Sections 5 and 8 of Act No. 482, H. 839, Regular Session 1953, an act establishing the Elmore County Court (Acts 1953, Vol. 1, p. 600) are amended to read as follows:

"Section 5. The Judge of this court shall receive a salary of \$5400.00 per annum, payable in equal monthly installments out of the general fund of Elmore County, Alabama, upon the warrant of the probate judge of Elmore County, Alabama, which he is hereby authorized and directed to issue monthly, and which warrants shall be a preferred claim against the general fund.

"Section 8. The deputy solicitor for Elmore County shall prosecute for the State all criminal cases in the court created by this act. His entire compensation shall be a salary of \$3000.00 per annum, to be paid out of the general fund of the county, in equal monthly installments on the warrant of the probate judge. Such warrants shall be preferred claims against the general fund of Elmore County."

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF ELMORE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Betty L. Humphries, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was secretary to the editor of the Tallassee Tribune, a newspaper of general circulation published in Elmore County, Alabama, and

that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 7-27, 8-3, 8-10, and 8-17, all in the year 1961.

BETTY L. HUMPHRIES.

Sworn to and subscribed before me August 17, 1961.

WILLIAM I. BROACH, JR.,
Title Notary Public.

By Messrs. Johnston (Leonard) and Johnson (Hardaway) (with notice and proof):

H. 1389. To amend Act No. 482, H. 839, Regular Session 1953, an act establishing the Elmore County Court (Acts 1953, vol. I, p. 600).

Local Legislation No. 1.

Notice and Proof H. 1389:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF ELMORE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Act No. 482, H. 839, Regular Session 1953, an act establishing the Elmore County Court (Acts 1953, vol. I, p. 600).

Be It Enacted by the Legislature of Alabama:

Section 7 of Act No. 482, H. 839, Regular Session 1953, an act establishing the Elmore County Court (Acts of Ala. 1953, vol. I, p. 600) is amended to read as follows:

"Section 7. The sheriff of Elmore County shall, in person, or by deputy, be required to attend upon the court and to preserve order and execute all writs or process issued therefrom, and to perform such other duties in all respects as he is required by law to perform in the circuit court of Elmore County; and for such services of attending the court the sheriff shall receive the same fee as is allowable under general laws for attendance each day on the county court, payable out of the fine and forfeiture fund on warrant of the clerk of the court; and for all services rendered by him, other than attendance upon the court hereinabove provided for, he shall receive the same costs and fees as are allowed by law for similar services performed and done in the circuit courts."

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ELMORE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bruce Jetton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Wetumpka Herald, a newspaper of general circulation published in Elmore County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 7/13/61, 7/20/61, 7/27/61, and 8/3/61, all in the year 1961.

BRUCE JETTON.

Sworn to and subscribed before me Aug. 4, 1961.

LESSIE M. KREIS,
Title Notary Public.

By Messrs. Johnston (Leonard) and Johnson (Hardaway) (with notice and proof):

H. 1390. To impose extra, new, and additional duties upon the members of the court of county commissioners, board of revenue, or other like governing body of Elmore County, and to provide additional compensation for the performance of such duties.

Local Legislation No. 1.

Notice and Proof H. 1390:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF ELMORE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To impose extra, new, and additional duties upon the members of the court of county commissioners, board of revenue, or other like governing body of Elmore County, and to provide additional compensation for the performance of such duties.

Be It Enacted by the Legislature of Alabama:

Section 1. In addition to his usual and regular duties, each member of the court of county commissioners, board of revenue, or other like governing body of Elmore County shall perform the following extra, new and additional duties, to wit:

1) To remove, or cause to be removed from the county roadways in his district all rubbish, garbage, and litter.

2) To place or cause to be placed along the roadways in his district, at strategic points, suitable receptacles and containers for deposit of rubbish, garbage, or litter.

3) To maintain within his district a suitable place or places for disposal of rubbish, garbage, and litter in a sanitary manner.

Section 2. Each member of the court of county commissioners, board of revenue, or other like county governing body performing the extra, new and additional duties imposed upon him by this Act shall be entitled to additional compensation in the amount of One Hundred Fifty Dollars (\$150) a month which shall be paid from any funds in the county treasury not otherwise appropriated.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This Act shall become effective immediately upon passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF ELMORE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Herve Charest, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor of the Tallassee Tribune, a newspaper of general circulation published in Elmore County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 7-27, 8-3, 8-10, and 8-17, all in the year 1961.

HERVE CHAREST, JR.

Sworn to and subscribed before me August 17, 1961.

WILLIAM I. BROACH, JR.,
Title Notary Public.

By Mr. Sullivan (with notice and proof):

H. 1391. To alter, rearrange and extend the boundary line and corporate limits of the municipality of the Town of Reform in Pickens County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 1391:

LEGAL NOTICE

NOTICE OF INTENTION TO INTRODUCE LOCAL ACT TO ALTER, REARRANGE AND EXTEND THE BOUNDARY LINES OF THE CORPORATE LIMITS OF THE MUNICIPALITY OF TOWN OF REFORM, IN PICKENS COUNTY, ALABAMA:

STATE OF ALABAMA
PICKENS COUNTY

Notice is hereby given that at the present session of the Legislature, being the regular term for 1961, presently being held for the State of Alabama, a Bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

AN ACT

To alter, rearrange and extend the boundary line and corporate limits of the municipality of the Town of Reform in PICKENS COUNTY, Alabama.

Be It Enacted by the Legislature of the State of Alabama:

Section 1: That the corporate limits of the Town of Reform, Alabama, be extended so as to include within the boundaries of said municipality the following lands in PICKENS COUNTY, Alabama, to-wit:

All of Section 20; the West Half ($W\frac{1}{2}$) of Section 21; the West Half ($W\frac{1}{2}$) of Section 28; all of Section 29, the North one-quarter ($N\frac{1}{4}$) of Section 32 and North Half of Northwest Quarter ($N\frac{1}{2}$ of $NW\frac{1}{4}$) of Section 33; all of said lands lying and being in Township 19, South, Range 14, West,

The corporate boundaries of said town being further described as follows:

Beginning at the Northwest corner of Section 20, Township 19, South, Range 14, West, and run South two and one-quarter ($2\frac{1}{4}$) miles along the West boundaries of Section 20, 29, and 32 to the Southwest corner of the Northwest Quarter of Northwest Quarter ($NW\frac{1}{4}$ of $NW\frac{1}{4}$) of said Section 32, thence run East along land lines one and one-half ($1\frac{1}{2}$) miles to the Southeast corner of the North Half of Northwest Quarter ($N\frac{1}{2}$ of $NW\frac{1}{4}$) of Section 33, thence run North along land line a distance of two and one-quarter ($2\frac{1}{4}$) miles to the Northeast corner of the Northwest Quarter ($NW\frac{1}{4}$) of Section 21, thence run West along land line one and one-half ($1\frac{1}{2}$) miles to the point of beginning.

Section 2: That the boundaries set out in Section 1 of this Act be and the same are hereby established as the Corporate limits of the Town of Reform, Alabama.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF PICKENS

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. Groce Pratt, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Pickens County Herald, a newspaper of general circulation published in Pickens County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 7-27, 8-3, 8-10, and 8-17, all in the year 1961.

J. GROCE PRATT.

Sworn to and subscribed before me 17th day of Aug., 1961.

EUTEAL V. JUNKINS,
Title Notary Public.

By Mr. Sullivan (with notice and proof):

H. 1392. To amend Act No. 132, H. 112, approved September 21, 1959, an act regulating further the taking of catfish in Pickens County by the use of baskets, providing for the payment of a privilege license tax for such use of baskets (Acts of Alabama 1959, vol. I, p. 654), so as to allow the use of revenues derived from the sale of such licenses for improving public parks in the county in addition to present uses.

Local Legislation No. 1.

Notice and Proof H. 1392:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF PICKENS

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 132, H. 112, approved September 21, 1958, an act regulating further the taking of catfish in Pickens County by the use of baskets providing for the payment of a privilege license tax for such use of baskets (Acts of Alabama 1159, vol. I, p. 654), so as to allow the use of revenues derived from the sale of such licenses for improving public parks in the county in addition to present uses.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 3 of Act No. 132, H. 112, approved September 21, 1959, entitled "An Act to apply in Pickens County; regulating further the

taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of baskets, including wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken" (Acts of Alabama 1959, vol. I, p. 654), is amended to read as follows:

"Section 3. Any revenues derived from the sale of licenses as provided in this Act shall be used by the county under the direction of the state department of conservation for the purpose of stocking the streams and impounded waters in the county with game fish; or in the discretion of the county governing body for the purpose of improving public parks in the county; provided, however, the probate judge may retain five per cent of all revenues collected for issuing such licenses and collecting such taxes."

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF PICKENS

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. Groce Pratt, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Pickens County Herald, a newspaper of general circulation published in Pickens County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 7-20, 7-27, 8-3, and 8-10, all in the year 1961.

J. GROCE PRATT.

Sworn to and subscribed before me Aug. 15, 1961.

EUTEAL V. JENKINS,
Title N. P.

By Mr. Adams (with notice and proof):

H. 1393. To further amend Act No. 273, S. 292, approved August 7, 1947 (1947 Local Acts, p. 196), which is designated "The Civil Service Act of Dothan", as last amended by Act No. 154, approved September 21, 1959.

Local Legislation No. 1.

Notice and Proof H. 1393:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF HOUSTON

NOTICE is hereby given that a bill substantially as follows will be

introduced in the present session of the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

AN ACT

To further amend Act No. 273, S. 292, approved August 7, 1947 (1947 Local Acts, p. 196), which is designated "The Civil Service Act of Dothan," as last amended by Act No. 154, approved September 21, 1959.

Be It Enacted by the Legislature of Alabama:

SECTION (1): Section 6 of Act No. 273, S. 292, approved August 7, 1947, (1947 Local Acts, p. 196), which is designated "The Civil Service Act of Dothan," as amended by Act No. 154, approved September 21, 1959, is amended to read as follows:

"Section 6. CITIZENS SUPERVISORY COMMITTEE. The membership of the Citizens Supervisory Committee shall consist of qualified electors of the City of Dothan who, upon the passage of this Act, are respectively the current president and the immediate past president or other chief executive officers by whatever name called of the following respective federated, national or international organizations, associations or groups now existing in the City, and generally known as: (a) Chamber of Commerce, (b) Junior Chamber of Commerce, (c) Kiwanis Club, (d) Rotary Club, (e) Exchange Club, (f) Dothan Chapter of Alabama Federation of Women's Clubs, (g) Business and Professional Women's Club, (h) Dothan Parent and Teacher Association Council, (i) Pilot Club, (j) Lions Club, (k) Civitan Club, (l) Soroptimist Club, and (m) League of Business and Professional Women. Provided that if two or more separately chartered clubs, organizations or groups become active under either of the respective federated, national or international organizations, associations or groups herein designated, each of such separately chartered clubs, organizations or groups shall be represented on the Citizens Supervisory Committee by only one representative who shall be its respective president or other chief executive officer by whatever name called. The organizational or first meeting of the Committee shall be held one week from the day this Act became effective, at the City Hall, at ten o'clock a.m. The failure of any one or more of those hereinabove designated to present themselves for membership on said Committee shall not affect the right of the remainder to constitute the initial membership unless there be less than fourteen present. The Committee shall designate one of its own members as chairman, and he shall be permitted to vote only in the case of a tie. The proposed members of the Committee present, in the event less than fourteen members attend the organizational meeting, shall adjourn the meeting and call a second organizational meeting at a time and place to be then determined, in no event beyond five days. The designated Members of the Committee shall have the right, respectively, to serve as Members of the Committee during the period in which such members hold the position or office in the respective organization, association or group above identified. Any qualified elector of the City of Dothan, during or subsequent to the adjournment of the organizational meeting, may file with the Chairman of the Committee written objections to the right of any person to sit on the Committee, however, no grounds of objections shall be considered except those based on the ground that the person objected to is not the designated officer of one of the identified organizations, associations or groups, or is not a qualified elector of the City of Dothan, and therefore not lawfully authorized to serve on the Committee. The chairman shall rule upon the objections in writing and the first order of business at the next meeting of

the Committee shall be a report by the chairman of the objections and his ruling thereon. His rulings shall be final unless the objecting party within five days duly appeals to the Committee, in which event the seated members shall upon a hearing of the objection, after notice is duly given to the objecting party and the party objected to, determine the qualifications of the party objected to. The vote of a majority of the members of the Committee present shall govern in all matters if a quorum be present. The Committee may adopt, from time to time, such Rules and Regulations and modes of procedure as it deems expedient to enable it to dispatch its business in an orderly manner. The chairman may call upon the Chief of Police of the City to attend the meetings of the Committee and preserve order and execute the decisions, rules and orders of the Committee and of the chairman thereof. The chairman may punish for contempt of the Committee in like manner and extent as may be done by the Judges of the Circuit Courts of this State. The Personnel Director, when selected, shall act as secretary and such secretary shall be the keeper and custodian of the minutes, records, property and paraphernalia of the Committee, and he may call upon the Personnel Board to furnish such supplies and a safe place for keeping the records and property. The expense and costs of giving notice of meetings shall be paid in the manner provided in this Act. The Committee shall meet in regular session at ten o'clock a.m. on the second Wednesday in each of the months of January, April, July and October, to receive quarterly reports of the Personnel Board and to make such recommendations to the Board as it shall deem in the interest of the sound administration of this Act, to elect a successor of any member of the Personnel Board whose term of office expires before the next regular meeting of the Committee, and to transact such other business as may properly come before the Committee. The Chairman of the Committee or any fourteen members thereof may call special meetings of the Committee to transact any business which may have arisen. All meetings shall be held at the City Hall, or some other public meeting place designated by the chairman. Notice of all call-meetings of the Committee shall be given to members of the Committee by certified mail and also by publication, one each day for three consecutive days in some daily newspaper published within the City, giving at least five days notice of such meeting from the date of last publication; such notice must be signed by the persons calling the meeting and the purposes thereof shall be briefly outlined. Notice of regular meetings shall be given to members of the Committee by regular mail and also by publication by one insertion in some daily newspaper published within the City giving at least five days notice of such meeting, but failure of any member to receive notice of any meeting either regular or special shall not invalidate any act of the Committee transacted at such meeting. A majority of the persons serving as members of the Committee shall constitute a quorum to do business, but less than that number may adjourn, and may compel the attendance of the absent members, in such manner and under such penalties as may be prescribed by the Rules and Regulations promulgated by the Committee. The Committee shall serve without compensation and shall have general supervisory control of the Personnel Department."

SECTION (2): This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said

State, this day personally appeared Nat Faulk, who is known to me and who, being by me first duly sworn, deposes and says: That he is Editor of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for four successive weeks, on the following dates: July 26, August 2, 9 and 16, 1961 in The Dothan Eagle which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

NAT FAULK.

Sworn to and subscribed before me on this 16th day of August, 1961.

EUGENE S. McCLINTIC,
Notary Public.

By Mr. Adams (with notice and proof):

H. 1394. To provide for the creation and establishment of a city-county airport authority, which shall be a public body corporate, to take possession of and title to existing airports, airfields, and aircraft facilities owned or operated by or on behalf of the City of Dothan and the County of Houston, and to provide for the management, control, development and improvement of such airports, airfields and aircraft facilities.

Local Legislation No. 1.

Notice and Proof H. 1394:

LEGAL NOTICE

Notice is hereby given in accordance with Article 4, Section 106 of the Constitution of Alabama that application will be made at the current session of the Legislature for enactment of a local law affecting the City of Dothan and Houston County, in substance as follows:

An Act to create and establish an airport authority, which shall be a public corporate body authorized to take over, operate, manage, control, develop, improve, and mortgage existing city and county-owned airports, airfields, and aircraft facilities; to provide for the selection, tenure and compensation of the members and officers of the airport authority and prescribe their powers and duties; to define the powers and duties of the airport authority as a public corporation; to authorize the corporation to create debts, issue and sell warrants or bonds, and to pledge to the payment thereof and the interest thereon the revenues received by the authority from airport operations; to restrict the powers of the airport authority in relation to acquisition, sale, disposition and use of real estate; to provide for audits, reports, and accounting for funds, resources, and public property; to make the operation of the law depend upon approval by a majority of the qualified voters of the county who vote thereon at an election to be held for that purpose.

PROOF OF PUBLICATION

STATE OF ALABAMA
HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said

State, this day, personally appeared Mirl Crosby, who is known to me and who, being by me first duly sworn, deposes and says: That he is Business Manager of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for four successive weeks, on the following dates: July 28, August 4, 11, 14, 1961 in The Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

MIRL CROSBY.

Sworn to and subscribed before me on this 14th day of August, 1961.

EUGENE S. McCLINTIC,
Notary Public.

By Mr. Hankins (with notice and proof):

H. 1395. Relating to the levy of additional taxes for certain purposes in Lamar County; authorizing the court of county commissioners, board of revenue, or other like governing body of the county to levy, when approved at a referendum election, special county privilege license and excise taxes paralleling state sales and use taxes as provided for in Act No. 100, H. 94, approved August 18, 1959, and Article 11 of Chapter 20, Title 51, Code of Alabama 1940, as heretofore amended and supplemented; providing for collection and enforcement of such taxes by the state department of revenue.

Local Legislation No. 1.

Notice and Proof H. 1395:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF LAMAR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to the levy of additional taxes for certain purposes in Lamar County; authorizing the court of county commissioners, board of revenue, or other like governing body of the county to levy, when approved at a referendum election, special county privilege license and excise taxes paralleling state sales and use taxes as provided for in Act No. 100, H. 94, approved August 18, 1959, and Article 11 of Chapter 20, Title 51, Code of Alabama 1940, as heretofore amended and supplemented; providing for collection and enforcement of such taxes by the state department of revenue.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall apply only in Lamar County.

Section 2. (a) If approved by a majority of the qualified voters of Lamar County who vote thereon at the referendum election provided for in subsection (b), the court of county commissioners, board of revenue, or like governing body of said county may adopt an order, ordinance, or resolution levying special county taxes, to parallel state sales and use taxes, in the manner and at the rates prescribed in this Act.

(b) The court of county commissioners, board of revenue, or like governing body of Lamar County shall call and provide for holding an election for the purpose of determining whether or not such special county taxes shall be levied and imposed as provided in this Act. The election shall be held on the same day as the first county-wide election that is held in the county next following the date of this enactment. Notice of the election shall be given not more than 30 nor less than 15 days before the date set for the election, by publication in a newspaper published in the county once a week for two successive weeks. The election shall be held and conducted in the manner provided by law for holding other county elections, and the cost of the election, including the cost of publishing the notice, shall be paid by the county. The question to be voted on shall be stated on the ballots substantially as follows: "Do you favor a county sales tax for school purposes?"

Section 3. (a) The special county taxes levied pursuant to this Act shall be privilege license and excise taxes in substance as follows:

1. Upon every person, firm, or corporation (not including the State of Alabama or the Alabama Alcoholic Beverage Control Board or ABC stores) engaged or continuing within the county in the business of selling at retail any tangible personal property whatsoever, including merchandise and commodities of every kind and character (not including, however bonds or other evidence of debt or stocks), an amount equal to one percent of the gross proceeds of sales of the business except where a different amount is expressly provided herein. Any person engaging or continuing in business as a retailer and wholesaler or jobber shall pay the tax required on the gross proceeds of retail sales of such businesses at the rates specified, when his books are kept so as to show separately the gross proceeds of sales of each business, and when his books are not so kept he shall pay the tax as retailer, on the gross sales of the business.

2. Upon every person, firm, or corporation engaged or continuing within the county in the business of conducting or operating places of amusement or entertainment, billiard and pool rooms, bowling alleys amusement devices, musical devices, theaters, opera houses, moving picture shows, vaudeville, amusement parks, athletic contests, including wrestling matches, prize fights, boxing and wrestling exhibitions, football and baseball games (including athletic contests conducted by or under the auspices of any educational institution, or any athletic association thereof, or other association whether such institution or association be denominational, a state, county, or a city school, or other institution, association, or school), skating rinks, race tracks, golf courses or any other place at which any exhibition, display, amusement, or entertainment is offered to the public or places charged, including public bathing places, public dance halls of every kind and description, conducted or carried on within the county, an amount equal to one percent of the gross receipts of any such business.

3. Upon every person, firm, or corporation engaged or continuing

within the county in the business of selling at retail machines or machinery used in mining, quarrying, compounding, processing and manufacturing of tangible personal property, and the parts of such machines or machinery, attachments and replacements therefor which are made or manufactured for use on or in the operation of such machines or machinery, and which are necessary to the operation of such machines or machinery, and are customarily so used, an amount equal to one-half of one percent of the gross proceeds of the sale of such machines or machinery, attachments, parts and replacements therefor.

4. Upon every person, firm, or corporation engaged or continuing within the county in the business of selling at retail any automotive vehicle or truck trailer and semi-trailer, an amount equal to one-half of one percent of the gross proceeds of the sale of said automotive vehicle or truck trailer and semi-trailer. Provided, that where any used automotive vehicle or truck trailer or semi-trailer is taken in trade, or in a series of trades, as a credit or part payment of the sale of a new or used vehicle, the tax levied herein shall be paid on the net difference, that is, the price of the new or used vehicle sold less a credit for the used vehicle taken in trade.

5. An excise tax may be imposed on—

The storage, use, or other consumption in the county of tangible personal property purchased at retail, for storage, use or other consumption in the county, at the rate of one percent of the sale price of such property, regardless of whether the retailer is or is not engaged in business in the county or in this state, except as provided in paragraphs a and b below; and

a) The storage, use, or other consumption in the county of any new or used automotive vehicle, truck trailer, or semi-trailer purchased at retail for storage, use, or other consumption in the county, at the rate of one-half of one percent of the sales price of such automotive vehicle, truck trailer, or semi-trailer. Where any used automotive vehicle or truck trailer or semi-trailer is taken in trade, or in a series of trades, as a credit or part payment on the sale of a new or used vehicle, the tax levied shall be paid on the net difference, that is, the difference in the price of the new or used vehicle sold less a credit for the used vehicle taken in trade; and

b) The storage, use, or other consumption in the county of any machines or machinery used in mining, quarrying, compounding, processing and manufacturing of tangible personal property, including the parts of such machines or machinery, attachments, and replacements therefor which are made or manufactured for use on or in the operation of such machines or machinery, purchased at retail for storage, use, or other consumption in the county, at the rate of one-half of one percent of the sales price of such machines or machinery or the parts, attachments, or replacements therefor.

(b) There shall be exempted from the levy of such taxes the gross receipts of any business and the gross proceeds of all sales which are exempted under the state sales tax statutes from the computation of the amount of the state sales tax. And there shall also be exempted from the levy the storage, use, or other consumption of property, the storage, use, or other consumption of which is exempted under the state use tax statutes from the state use tax. Subject to these exemptions, every person storing or using or otherwise consuming in the county tangible personal property purchased at retail shall be liable for the tax imposed, and the liability shall not be extinguished until the tax has been paid by such person; provided, however, that a receipt from a registered seller given to the pur-

chaser of any property to be used, stored, or consumed in the county shall be sufficient to relieve the purchaser from further liability for the tax to which such receipt may refer. The term "registered seller" means the person registered with the state department of revenue pursuant to the state sales tax statutes. The term "state sales tax statutes" means Act No. 100, H. 94, approved August 18, 1959, which levies a retail sales tax for state purposes, and includes all statutes, including amendments to said Act No. 100 heretofore enacted which expressly set forth any exemptions from the computation of the tax levied in said Act No. 100, and all other statutes heretofore enacted which expressly apply to, or purport to affect, the administration of said Act No. 100 and the incidence and collection of the tax imposed therein. The term "state use tax statutes" means Article 11 of Chapter 20, Title 51, Code of Alabama 1940, as heretofore amended, including all statutes heretofore enacted which expressly set forth any exemptions from the computation of the tax levied in said Article 11 and all other statutes heretofore enacted which expressly apply to, or purport to affect, the administration of the said article and the incidence and collection of the tax imposed therein.

Section 4. Unless otherwise expressly provided for in the order, ordinance, or resolution levying the taxes herein authorized, such taxes shall become effective on the first day of the second month next following the date of the order, ordinance, or resolution; provided, notice of adoption of such an order, ordinance, or resolution must be given to the commissioner of the state department of revenue not less than 45 days before the taxes are to become effective. The taxes levied and imposed shall be in addition to all other taxes now provided by law and shall be collected as hereinafter provided.

Section 5. All taxes levied pursuant to this Act shall be paid to and collected by the state department of revenue at the same time and along with the collection of the state sales tax and the state use tax. On or before the due dates of the taxes levied each person subject to such taxes shall file with the state department of revenue a report or return in such form as may be prescribed by the department, setting forth with respect to all sales and business that are required to be used as a measurement of the tax levied, a correct statement of the gross proceeds of all such sales and the gross receipts of all such business, and setting forth with respect to the use tax levied, the total sales price of all property, the use, storage, or other consumption of which became subject to the tax during the then preceding quarterly period. Such reports shall include also such other items of information pertinent to the said taxes and the amount thereof as the state department of revenue may require. Any person subject to the taxes levied may defer reporting credit sales until after their collection, and in the event he so defers reporting them, he shall thereafter include in each monthly report all credit collections made during the month preceding, and shall pay the taxes due thereon at the time of filing such report. All reports or returns filed with the state department of revenue under this section shall be available for inspection by the governing body of Lamar County, or its designated agent, at reasonable times during business hours.

Section 6. Every registered seller regularly and continually making sales of tangible personal property for storage, use, or other consumption in Lamar County (which storage, use, or other consumption is not exempted from the tax imposed) shall at the time of making such sale or, if the storage, use, or other consumption of such tangible personal property in the county is not then taxable under this Act, at the time such storage, use or

other consumption becomes taxable hereunder, collect the tax from the purchaser, and shall give to the purchaser a receipt therefor in the manner and form prescribed by the state department of revenue. On the twentieth day of the month following the close of each quarterly period, each registered seller shall file with the state department of revenue a return for the preceding quarterly period in such form as may be prescribed by the department, showing the total sales of the tangible personal property sold by such registered sellers, the storage, use, or other consumption of which became subject to the tax imposed during the then preceding quarterly period; and each return shall be accompanied by a remittance of the amount of the tax required to be collected by such registered seller during the period followed by the return; provided, that any registered seller may defer collecting the tax with respect to credit sales until collection of the proceeds of such sales and may defer reporting credit sales until after their collection, but shall thereafter collect the said taxes along with collection of said credit sales and shall include in each quarterly report all credit collections made during the preceding quarterly period, and shall omit the taxes with respect thereto at the time of filing such report or return. Any person who has paid to a registered seller the tax with respect to the use, storage, or other consumption of tangible personal property in Lamar County need not file a report or make any further payment of the said tax, but each person who purchases tangible personal property, the storage, use, or other consumption of which is subject to the tax imposed, and who has not paid the tax due with respect thereto to a registered seller, shall report and pay the tax as required by Section 5.

Section 7. Each person engaging or continuing within Lamar County in a business subject to the taxes levied pursuant to Section 3 shall add to the sales price or admission fee and collect from the purchaser or the person paying the admission fee the amount due by the taxpayer on account of said taxes; and every registered seller shall likewise add to the sales price and collect from the purchaser the amount of any tax which such registered seller is required to collect. It shall be unlawful for any person subject to the tax levied to fail or refuse to add to the sales price or admission fee and to collect from the purchaser or person paying the admission fee the amount herein required to be so added to the sales or admission price and collected from the purchaser, and it shall likewise be unlawful for any person subject to said tax to refund or offer to refund all or any part of the amount so collected or to absorb or advertise directly or indirectly the absorption or refund of said tax or any portion thereof. It shall likewise be unlawful for any registered seller to fail or refuse to add to the sales price and to collect from the purchaser the amount of the tax imposed or to refund or offer to refund or absorb, or to advertise directly or indirectly the absorption of, said tax or any portion thereof.

Section 8. The taxes imposed pursuant to this Act shall constitute a debt due Lamar County and may be collected by civil suit, in addition to all other methods provided by law and in this Act. The said taxes, together with interest and penalties with respect thereto, shall constitute and be secured by a lien upon the property of any person from whom said taxes are due or who is required to collect said taxes. All provisions of the revenue laws of this state which apply to the enforcement of liens for license taxes due the state shall apply fully to the collection of the county taxes levied and that state department of revenue, for the use and benefit of Lamar County shall collect such taxes and enforce this Act and shall have and exercise for such collection and enforcement all rights and remedies that this state or the department has for collection of the state sales tax and the state use tax. The state department of revenue shall have

full authority to employ such special counsel as it deems necessary from time to time to enforce collection of the taxes authorized to be levied by this Act, and to otherwise enforce the provisions of this Act, including any litigation involving the Act; and the department shall pay such special counsel such fees as it deems necessary and proper from the proceeds of the taxes collected by it for Lamar County.

Section 9. All provisions of the state sales tax statutes with respect to payment, assessment and collection of the state sales tax, making of reports and keeping and preserving records with respect thereto, interest after due date of tax, penalties for failure to pay tax, make reports or otherwise comply with the State Sales Tax and the administration and enforcement of the state sales tax statutes, which are not inconsistent with the provisions of this Act when applied to the tax levied pursuant to Section 3 hereof, shall apply to the county tax levied; and all provisions of the state use tax statutes with respect to payment, assessment and collection of the state use tax, making quarterly reports and keeping and preserving records with respect thereto, interest after due date of tax, penalties for failure to pay tax, make reports or otherwise comply with the state use tax statutes, the promulgation of rules and regulations with respect to the state use tax, and the administration and enforcement of the state use tax statutes, which are not inconsistent with the provisions of this Act when applied to the county use tax levied shall apply to the county tax. The commissioner of revenue and the state department of revenue shall have and exercise the same powers, duties and obligations with respect to the county taxes levied as are imposed on the commissioner and the department, respectively, by the state sales tax statutes and the state use tax statutes. All provisions of the state sales tax statutes and the state use tax statutes that are made applicable in this Act to the county taxes levied and to the administration of this Act are incorporated herein by reference and made a part hereof as it fully set forth herein.

Section 10. The state department of revenue shall charge Lamar County for collecting the special county taxes levied such amount or percentage of total collections as may be agreed upon by the commissioner of revenue and the court of county commissioners, board of revenue, or like governing body of the county, but such charge shall not in any event exceed three percent of the total amount of special county taxes collected hereunder within the county. Such charge for collecting the special taxes for the county may be deducted each month from the special sales and special use taxes collected before certifying the amount of the proceeds thereof due Lamar County for that month. The commissioner of revenue shall pay into the state treasury all county taxes collected under this Act, as such taxes are received by the department of revenue; and on or before the first day of each successive month (commencing with the month following the month in which the department makes the first collections hereunder), the commissioner shall certify to the state comptroller the amount of taxes collected under the provisions of this Act and paid by him into the state treasury for the benefit of Lamar County during the month immediately preceding the making of such certificate. Provided, however, that before certifying the amount of the taxes paid into the state treasury for the benefit of the county during each month, the commissioner may deduct from the taxes collected in said month the charges due the department for the collection of the taxes for the county. It shall be the duty of the comptroller to issue his warrant each month payable to the custodian of the public funds of Lamar County in an amount equal to the amount so certified by the commissioner of revenue as having been collected for the use of the county. The custodian of public funds for Lamar County shall

deposit the revenue derived from the taxes levied herein in a special account separate and apart from other county funds, and shall maintain separate records of such special account.

Section 11. The net revenue derived by the county from the taxes levied under this Act shall be paid over to the board of education of Lamar County and shall be spent by the board for the operation and maintenance of the schools in the county school system.

Section 12. All laws or parts of laws which conflict with this Act are repealed.

Section 13. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 14. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LAMAR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack Hankins, who, being by me first duly sworn, deposes and says that during the time herein mentioned he was Publisher of the Lamar Democrat, a newspaper of general circulation published in Lamar County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 27, August 3, August 10, and August 17, all in the year 1961.

JACK HANKINS.

Sworn to and subscribed before me August 18th, 1961.

NELLIE RUTH TAGGART,
Title Notary Public.
My Commission Expires 8/2/65.

By Messrs. Goodwyn, Pierce, Bailey and Goldthwaite (with notice and proof):

H. 1396. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory located in Sections 29, 30, 31, and 32, all in Township 17 North, Range 18 East, Montgomery County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 1396:

LEGAL NOTICE

Notice is hereby given of the intention to apply to the Legislature of Alabama for passage of a law in substance as follows:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory located in Sections 29, 30, 31, and 32, all Township 17 North, Range 18 East, in Township 17 North, Range 18 East, Montgomery County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the City of Montgomery, in Montgomery County, Alabama, be, and the same are hereby altered, rearranged and extended so as to include within the corporate limits of said City certain additional territory lying within the following described boundaries, to-wit:

Beginning on the north right of way line of the Seaboard Air Line Railway at a point 83.5 feet more or less east of the west line of section 33, T17N, R18E, Montgomery County, Alabama, said point being on the east right of way line of the Fairgrounds Road and on the existing city limits line of the City of Montgomery, Alabama, thence north and parallel to the west line of said section 33 to a point on the north line of said section 33, thence west along the north line of said section 33 a distance of 83.5 feet more or less to the northwest corner of said section 33; the said 1 point also being a common corner for the SE corner of Section 29, T17N, R18E; thence north along the east line of said Section 29 to the NE corner of said Section 29; thence west along the north line of said Section 29 a distance of 1,834 feet, more or less, to a point on the easterly right of way line of Lower Wetumpka Road; thence southwesterly along the easterly right of way line of said Lower Wetumpka Road a distance of 2,461 feet, more or less, to a point on the south right of way line of Johnson Avenue (West Boylston Area); thence east along the south right of way line of said Johnson Avenue a distance of 1,183.7 feet, more or less, to the west side of Fourth (4th) Street (West Boylston Area); thence south along the west side of said Fourth Street and projection thereof a distance of 850.8 feet, more or less, to a point on the north right of way line of the Western Railway of Alabama; thence westerly along the north right of way line of said Western Railway, a distance of 181 feet, more or less, to a point; thence south along a line a distance of 1,450.4 feet, more or less, to the NE corner of Lot 32 in Block 6, according to the map of Vandiver Place, as recorded in the Office of the Judge of Probate of Montgomery County, Alabama, in Plat Book 8, at Page 38; thence west along the north line and projection thereof of Blocks 6 and 5, according to the said map of Vandiver Place a distance of 1,485.3 feet, more or less, to a point on the westerly right of way line of Lower Wetumpka Road; thence northerly along the westerly right of way line of said Lower Wetumpka Road a distance of 1,048 feet, more or less, to a point on the south right of way line of the Western Railway of Alabama, thence in a southwesterly direction, along the south right of way line of said railroad and southwesterly along a line being an extension of the said south right of way, said line being a distance of 50 feet from the center line of the main line track at all points, measured perpendicular to said center line, to a point on the south line of the north one-half of Section 31, T17N, R 18E, Montgomery County, Alabama, the said point being on the now existing City Limits line of said City of Montgomery, Alabama; thence along the existing City limits line, said line running east along the south line of the north one-half of Sections 31 and 32, T17N, R18E, Montgomery County, Alabama to a point on the north

right of way line of the Seaboard Air Line Railway, thence east along the north right of way line of the Seaboard Air Line Railway to the point of beginning.

Section 2. That this Act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA MONTGOMERY COUNTY

Before me, Ruth E. Moore, a Notary Public in and for said State and County, personally appeared Inez Woodson, Bookkeeper for The Advertiser Co., Inc., publishers of the Alabama Journal, a newspaper published in the City of Montgomery, County of Montgomery, and State of Alabama, who, being by me first duly sworn, deposes and says on oath that the attached is a true copy of a "Legal Notice" which appeared in the regular editions of said newspapers published in said City and County of Montgomery on July 25, August 1, 8, and 15, 1961.

INEZ WOODSON.

Sworn to and subscribed before me, this the 16 day of August, 1961.

RUTH E. MOORE,
Notary Public.

By Messrs. Goodwyn, Goldthwaite, Bailey and Pierce (with notice and proof):

H. 1397. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Sections 15 and 22, Township 16 North, Range 18 East, Montgomery County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 1397:

LEGAL NOTICE

Notice is hereby given of the intention to apply to the Legislature of Alabama for passage of a law in substance as follows:

A BILL TO BE ENTITLED AN ACT

To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Sections 15 and 22, Township 16 North, Range 18 East, Montgomery County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the City of Montgomery, in Mont-

gomery County, Alabama, be, and the same are hereby altered, rearranged and extended so as to include within the corporate limits of said City certain additional territory lying within the following described boundaries, to-wit:

Beginning at a point on the North line of Section 22, Township 16 North, Range 18 East, Montgomery County, Alabama, 235.8 feet West of the Southeast corner of the West Half of the West Half of the Southeast Quarter of Section 15, Township 16 North, Range 18 East, the said point being on the present City Limits of Montgomery, Alabama; thence from the point of beginning South to a point on the North side of the Vaughan Road 3082.1 feet East of the West line of Section 22, Township 16 North, Range 18 East; thence East and Southeasterly along the North side of the Vaughan Road and the curvature thereof to the West side of the Perry Hill Road; thence North along the West side of the Perry Hill Road and the curvature thereof to the South side of the Harrison Road to the present City Limits of Montgomery, Alabama; thence West along the South side of the Harrison Road and the present City Limits to the Northeast corner of Perry Hill Homes Plat No. 3; thence South along the Plat of Perry Hill Homes Plat No. 3 and the present City Limits to the North line of Section 22, Township 16 North, Range 18 East; thence West along the North line of said Section 22, and the present City Limits 235.8 feet to the point of beginning.

Section 2. That this Act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA MONTGOMERY COUNTY

Before Me, Carole Mobley Pope, a Notary Public in and for said State and County, personally appeared Guyton Parks for The Advertiser Co., Inc., publishers of The Alabama Journal, a newspaper published in the City of Montgomery, County of Montgomery, and State of Alabama, who, being by me first duly sworn, deposes and says on oath that the attached is a true copy of a "Legal Notice", which appeared in the regular editions of said newspaper published in said City and County of Montgomery on July 26, August 2, 9 and 16, 1961.

GUYTON PARKS.

Sworn to and subscribed before me, this, the 16th day of August, 1961.

CAROLE MOBLEY POPE,
Notary Public in and for State
of Alabama, Montgomery County.

By Messrs. Locke, Hawkins, Rast, Morrow, Edwards and Sessions:

H. 1398. To amend further Section 11 of Title 27, Code of Alabama 1940, to provide that the judge of probate shall make a report to the board of registrars of the result of proceedings to legitimate bastard children.

Judiciary.

By Messrs. Hawkins, Sessions and Morrow:

H. 1399. To propose an amendment to the Constitution of Alabama with reference to District school taxes authorized by Amendment III.

Education.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Locke and Sessions:

H. 1400. To propose and provide for the submission of an amendment to the Constitution of Alabama amending Section 235 of said Constitution, which section pertains to and provides for the exercise of the right of eminent domain, the taking of property for public use, and the payment of just compensation for property taken, injured or destroyed or applied to public use.

Judiciary.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Edwards, Rast, Hawkins and Sessions:

H. 1401. To regulate further primary elections held for the purpose of nominating candidates for election as representatives in Congress.

Judiciary.

By Messrs. Hawkins, Sessions, Rast, Edwards, Perry, Morrow and Locke:

H. 1402. For the relief of Evelyn G. McDonald; providing that the Board of Managers of the City of Birmingham Retirement and Relief System, established by Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (Acts of Alabama of 1951, Page 1579, et seq.) shall have four months from the effective date of this act in which to take action on Evelyn G. McDonald's petition to amend the ordinary disability allowances granted to her by the said Board of Managers on December 12, 1957, and June 20, 1958, so as to grant her an extraordinary disability allowance for the period November 11, 1957, to June 16, 1958, and for this period only if it concludes that she was injured under such circumstances as to have entitled her to the extraordinary disability allowance provided by the said Act No. 929.

Ways and Means.

By Messrs. Hawkins, Sessions, Rast, Edwards, Perry, Morrow and Locke:

H. 1403. To provide for and authorize the introduction in evidence in any court in Alabama, when relevant and material, certified copies of hospital records of any hospital organized or operated under or pursuant to the laws of Alabama, or of the United States of America, including U. S. Veteran Hospital, located in Alabama Counties of more than 600,000 population, including records of admission, medical, clinical, hospital, occupations, disease, injury and disability histories, X-rays and written interpretations thereof, pictures, photograph, charts, files, written orders, directions, findings and reports of physicians, doctors, surgeons, pathologists, radiologists, specialists, dentists, technicians and nurses, as well as all

employees of such hospital, forming a part of such hospital records, as to the health, physical and mental condition, state, injury, disabilities, sickness, disease, mental and physical and nervous condition and disorder, duration and character of such ailments and disabilities, and the diagnosis, prognosis, progress, operations, incisions, contusions, concussions, wounds, cuts, lacerations, bruises, breaks, examinations, tests, transfusions, hospitalization and duration thereof, medication, medicines, supplies, treatment, and care and the charge sheets and the costs, expenses, fees and charges therefor and thereof, as to and of a patient in said hospital, and when the custodian of such hospital records certifies and affirms in writing that the hospital was operated or organized under or pursuant to the laws of Alabama or of the United States of America, including U. S. Veterans Hospitals, located in Alabama Counties of more than 600,000 population, and that the same are a true and correct copy of such hospital records; with the proviso that all circumstances of the making of such hospital records, including lack of personal knowledge by the entrant or maker, may be otherwise shown to affect the weight of such hospital records, but that this shall not affect their admissibility; and to provide for the costs and taxing and collection hereof for said copies and certificates and affirmance in writing thereto and the filing of said copies with the Clerk or Register of the Court having jurisdiction of the suit or proceeding, and to provide for subpoena duces tecum therefor.

Local Legislation No. 2.

By Messrs. Sessions, Rast, Hawkins, Edwards, Perry, Morrow and Locke:

H. 1404. To amend an Act of the Legislature, approved September 16, 1947, General Acts of Alabama of 1947, Page 280, entitled "An Act to apply in, and only in, counties which have a population of 400,000 inhabitants, or more, according to the last or any subsequent Federal Census; and to require the payment to each such county of a license tax, in addition to all other taxes and licenses imposed or levied by law, of one cent on each gallon of gasoline sold, distributed, delivered, stored or taken out of storage within such county; and to define gasoline more comprehensively than the ordinary import of such terms; and to provide for the ascertainment, collection, payment and distribution of such license tax and for the enforcement of this act; and to prescribe penalties and fix punishment for the violation of any of the provisions of this act; and to repeal all ordinances of any municipality within such county which imposes or levies any gasoline license tax based upon, or graduated by the number of gallons of gasoline; and to prohibit any such municipality from levying any additional license tax on gasoline based upon the number of gallons sold, distributed, stored, delivered or withdrawn from storage; and to provide the effective date of this act," as amended by Act No. 440, General Acts of Alabama of 1949, page 647, approved August 23, 1949, and as amended by Act No. 496, General Acts of Alabama of 1951, page 882, approved August 22, 1951.

Local Legislation No. 2.

By Messrs. Hawkins, Sessions, Rast, Edwards, Perry, Morrow and Locke:

H. 1405. To amend further Section 706, Title 51, Code of Alabama (1940), as amended, by providing further for the transfer of ownership of motor vehicle license tags, and by prescribing further penalties.

Ways and Means.

By Messrs. Hawkins, Sessions, Rast, Edwards, Perry, Morrow and Locke:

H. 1406. To apply in all counties in the State of Alabama having a

population of 600,000 or more according to the last or any subsequent federal census, to provide that the governing body of each county shall have authority to purchase, acquire and maintain two unmarked or undesignated passenger automobiles for official use. Said cars to be serviced by the county and to provide for the payment and expenses of their upkeep; defining violations of the act and prescribing penalties therefor; and repealing act No. 529, H. 1098, approved November 19, 1959, (Acts of Alabama 1959, p. 1304).

Local Legislation No. 2.

By Messrs. Sessions, Rast, Hawkins, Edwards, Morrow, Locke and Perry:

H. 1407. To propose an amendment to the Constitution of Alabama authorizing the school districts in Jefferson County to levy and collect, subject to a vote of the qualified electors therein, special district property taxes for the support of education.

Local Legislation No. 2.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Rast, Hawkins, Sessions, Edwards, Morrow, Locke and Perry:

H. 1408. An act to amend Section 811 (22) of Title 62 Code of Alabama, 1940, as amended.

Local Legislation No. 2.

By Messrs. Sessions, Rast, Hawkins, Edwards, Perry, Morrow and Locke:

H. 1409. To apply to counties having a population of 500,000 or more according to the last or any subsequent federal census; to provide for a study of judicial practice and procedure and court operation in such counties; to establish and provide for the composition of a "Commission for Court Study"; to state the powers, authority and duties of such commission; and to provide for the financing of the work of the commission.

Local Legislation No. 2.

By Messrs. Sessions, Rast, Hawkins, Edwards, Perry, Morrow and Locke:

H. 1410. TO PROVIDE THAT IN ANY COUNTY OF THE STATE OF ALABAMA HAVING A POPULATION OF 600,000 OR MORE ACCORDING TO THE LAST OR ANY SUCCEEDING FEDERAL CENSUS, IT SHALL BE UNLAWFUL FOR ANY PERSON LICENSED TO SELL MALT BEVERAGES BUT NOT LICENSED TO SELL LIQUORS TO HAVE IN HIS POSSESSION OR UNDER HIS CONTROL AT HIS PLACE OF BUSINESS COVERED BY THE BEER LICENSE ANY ALCOHOLIC BEVERAGES OR LIQUORS NOT PROPERLY STAMPED AS REQUIRED BY THE LAWS OF THE STATE; TO PROVIDE THAT IT SHALL BE UNLAWFUL FOR THE AGENT, SERVANT OR EMPLOYEE OF ANY SUCH BEER LICENSEE TO HAVE IN HIS POSSESSION OR UNDER HIS CONTROL AT THE PLACE OF BUSINESS COVERED BY SAID BEER LICENSE ANY ALCOHOLIC BEVERAGES OR LIQUORS NOT PROPERLY STAMPED AS REQUIRED BY THE LAWS OF THE STATE;

TO PROVIDE THAT ANY BEVERAGES OR LIQUORS FOUND AT ANY SUCH PLACE OF BUSINESS OF A BEER LICENSEE IN VIOLATION OF THE FOREGOING PROVISIONS SHALL BE CONTRABAND AND SHALL BE SUBJECT TO CONDEMNATION IN THE MANNER PROVIDED FOR IN THIS ACT, AND TO PROVIDE A PENALTY FOR VIOLATING THIS ACT.

Local Legislation No. 2.

By Messrs. Hawkins, Sessions, Rast, Edwards, Perry, Morrow and Locke:

H. 1411. To require disaster preparedness in the schools in each County in the State having a population in excess of 500,000 according to the last or any subsequent Federal decennial census.

Local Legislation No. 2.

By Messrs. Sessions, Rast, Hawkins, Edwards, Morrow, Locke and Perry:

H. 1412. To further define the jurisdiction of all statutory inferior courts, other than those created in lieu of justices of the peace, in all counties having populations of 500,000 or more, according to the last or any subsequent federal decennial census.

Local Legislation No. 2.

By Messrs. Sessions, Rast, Hawkins, Edwards, Perry, Morrow and Locke:

H. 1413. To require the probate judge of any county having a population of 500,000 or more inhabitants, according to the 1960 or any subsequent federal decennial census, to furnish the board of registrars of such county photostatic copies of declarations acknowledging paternity.

Local Legislation No. 2.

By Messrs. Sessions, Rast, Hawkins, Morrow, Locke and Perry:

H. 1414. To Amend Act No. 343 of the Legislature of Alabama of 1953, approved August 17, 1953 (Acts of Alabama of 1953, Page 404, et seq.)

Local Legislation No. 2.

By Messrs. Sessions, Rast, Hawkins, Edwards, Morrow, Locke and Perry:

H. 1415. TO PROVIDE THAT MEMBERS OF THE BOARD OF TRUSTEES OR BOARD OF MANAGERS OF ANY PENSION SYSTEM ESTABLISHED FOR THE EMPLOYEES, OR ANY CLASS OF EMPLOYEES, OF ANY COUNTY OF THE STATE HAVING A POPULATION OF 400,000 OR MORE ACCORDING TO THE LAST OR ANY SUBSEQUENT FEDERAL CENSUS SHALL BE PROTECTED FROM PERSONAL LIABILITY TO THE STATE, COUNTY OR ANY INDIVIDUAL FOR THEIR OFFICIAL ACTS WHERE SUCH ACTS ARE IN RELIANCE UPON THE WRITTEN OPINION OF THE COUNTY ATTORNEY FOR SUCH COUNTY.

Local Legislation No. 2.

By Messrs. Edwards, Perry and Sessions:

H. 1416. To amend the title to and Section One, Section Three, Section Four, Section Five and Section Seven of Act No. 343 of the 1953 Regular Session of the Legislature of Alabama which act was known as House Bill 662 and approved the 17th day of August, 1953, and to amend Section One and Section Three of Act No. 328 of the 1957 Regular session of the Legislature of Alabama which act was approved August 20, 1957 and known as House Bill 877, entitled "An Act to provide for the establishment and administration of a supplementary retirement fund for deputy sheriffs, wardens, assistant wardens, transfer agents, prison clerks, or identification clerks employed by the sheriff in counties having a population of 400,000 or more according to the last or any future federal census and for the payment of benefits to the deputy sheriffs, wardens, assistant wardens, transfer agents, prison clerks, or identification clerks, of the sheriff's office in such counties; to provide for the apportionment of pistol permit fees issued by the sheriff."

Local Legislation No. 2.

By Messrs. Sessions, Rast, Morrow, Edwards, Hawkins and Perry:

H. 1417. To fix the compensation or salary of the President and members of the County Commission, or other governing body, of all counties having a population of six hundred thousand (600,000) or more according to the last or any subsequent federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Local Legislation No. 2.

By Messrs. Sessions, Rast, Morrow, Edwards, Hawkins and Perry:

H. 1418. To provide for and fix the salaries of members of the commission or board of commissioners (including the president of such commission or board) of each city in the State of Alabama having a population of three hundred thousand or more inhabitants according to the last or any succeeding federal census, and to fix the time and regulate the mode of payment of such salaries; To provide that this act shall become effective on the first Monday of November, 1961.

Local Legislation No. 2.

By Messrs. Solomon and Chambers (with notice and proof):

H. 1419. To alter or rearrange the boundary lines of the City of Abbeville, Henry County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Henry County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 1419:

LEGAL NOTICE

STATE OF ALABAMA HENRY COUNTY

Notice is hereby given pursuant to Section 106 of the Constitution of Alabama 1901 that application will be made to the Legislature of Alabama for the enactment of a local law, the substance of which is as follows:

A BILL
TO BE ENTITLED
AN ACT

To alter or rearrange the boundary lines of the City of Abbeville, Henry County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Henry County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the City of Abbeville, Henry County, Alabama, be, and the same are hereby altered or rearranged so as to include all of the territory heretofore encompassed by the corporate limits of the City of Abbeville and in addition thereto the following described territory, to-wit:

Southeast quarter of Section 12;

Southeast quarter of Southwest quarter, and east half of Section 13;

Southwest quarter of southwest quarter, east half of west half, and east half of Section 24;

North half of north half, southwest quarter of northwest quarter, and northwest quarter of southwest quarter of Section 25; all in Township 7 North, Range 27 East.

Also,

South half of Section 7;

West half and north half of northeast quarter of Section 18;

West half of Section 19;

South half of Section 8;

North half of north half of Section 17;

South half and east half of northwest quarter of Section 9;

North half of northwest quarter, and east half of Section 16;

West half of Section 15;

East half of Section 21;

West half of Section 22;

West half of Section 27;

East half, southwest quarter, and south half of northwest quarter of Section 28;

South half of north half, southeast quarter, and all that portion of southwest quarter lying east of Skipper Creek, in Section 29;

All that portion of northeast quarter lying north of Skipper Creek, and all that portion of northwest quarter lying north and east of Skipper Creek, in Section 32;

All that portion of southeast quarter of northeast quarter and all that portion of northeast quarter of southeast quarter lying east of Skipper Creek, in Section 30; all in Township 7 North, Range 28 East.

Section 2. That this act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF HENRY

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. Edward Dodd, who, being by me first duly sworn, deposes and says that during the times mentioned he was, Publisher of the Abbeville Herald, a newspaper of general circulation published in Henry County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 13, July 20, July 27, and August 3, all in the year of 1961.

J. EDWARD DODD.

Sworn to and subscribed before me August 8, 1961.

ALLIGENE E. FARMER,
Title Notary Public.
State of Alabama-At-Large.

By Messrs. Cornett and Smith (Russell):

H. 1420. Relating to the times for holding court in the Twenty-sixth Judicial Circuit, repealing Act No. 58, H. 83, Regular Session 1951 (Acts of Ala. 1950-1951, vol. I, p. 276).

Judiciary.

By Mr. Cornett:

H. 1421. To provide for partial refunds of the gasoline excise taxes paid on aviation fuel pursuant to Section 647, Title 51, Code of Alabama 1940, as amended; to establish procedures and requirements governing the application for and payment of the aviation fuel refund; to fix certain penalties for violations of the terms of this Act and the rules and regulations established thereunder; and to declare the relationship of this Act to other provisions of Title 51, Code of Alabama 1940, as amended.

Ways and Means.

By Messrs. Roberts and Reynolds (Madison):

H. 1422. To supplement the state salary payable to circuit judges by payments from the county treasury in all judicial circuits composed of only one county which has a population of not less than 110,000 nor more than 150,000, according to the 1960 or any subsequent federal decennial census.

Local Legislation No. 1.

By Messrs. Roberts and Reynolds (Madison):

H. 1423. To authorize and make provisions for the incorporation in

any County of the State of Alabama having a population of not less than 110,000 nor more than 150,000 according to the last or any subsequent federal census of an authority as a public corporation for the purpose of acquiring, constructing, enlarging, equipping, improving, maintaining, developing and operating airports, heliports, airport buildings and facilities and of constructing, acquiring, establishing, improving, extending, enlarging, reconstructing, equipping, maintaining, repairing and operating buildings, structures and facilities suitable for use as manufacturing plants industrial plants, retail shopping areas or centers, parks, exhibits, exhibitions or for the conduct of any lawful business, at, upon, or adjacent to any airport, heliport or aircraft landing area owned or operated by such authority and leasing or letting such buildings, structures or facilities.

Local Legislation No. 1.

By Mr. Edwards:

H. 1424. To provide for the compensation to be paid the Assistant Deputy Circuit Solicitor in counties having a population of 500,000 or more according to the last or any subsequent decennial federal census.

Local Legislation No. 2.

By Mr. Edwards:

H. 1425. To provide for the compensation to be paid the Deputy Circuit Solicitor who is elected by the people in counties having a population of 500,000 or more according to the last or any subsequent decennial federal census.

Local Legislation No. 2.

By Messrs. Morrow, Locke and Sessions:

H. 1426. To propose an amendment to the Constitution of Alabama authorizing Jefferson County to levy and collect, subject to a vote of the qualified electors, a special county property tax or a privilege or license tax for the care of indigent sick and injured residents.

Local Legislation No. 2.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Oden and Callahan:

H. 1427. Making an appropriation from the state treasury for the relief of Mittie Stovall Thomas, of Russellville.

Ways and Means.

By Mr. Long (Perry):

H. 1428. To amend Section 77 of Title 52, Code of Alabama 1940 so as to regulate further the assignment to public schools of pupils who live on or near county boundaries.

Education.

By Mr. Camp:

H. 1429. To provide further for selection of textbooks for use in certain schools in all counties having populations of not less than 65,000 nor more than 95,000, repealing conflicting laws.

Local Legislation No. 1.

By Mr. Camp:

H. 1430. To create and establish a special fund for the use of the adult blind department, Alabama Institute for the Deaf and Blind, and making an appropriation for that purpose.

Ways and Means.

By Mr. Dunn:

H. 1431. To make an appropriation of highway department funds for relief of Mrs. Clyde McLean Wilson, of Clarke County.

Ways and Means.

By Messrs. Avery and Ramey:

H. 1432. To authorize, direct, and require the court of county commissioners, board of revenue, or like governing body of any county having a population of not less than 19,500 nor more than 20,000, according to the most recent federal decennial census, to cover the employees of the county under the Workmen's Compensation Act.

Local Legislation No. 1.

By Messrs. Daniel and Grant (with notice and proof):

H. 1433. To alter, rearrange, and extend the boundary lines and corporate limits of the city of Linden, in Marengo County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 1433:

LEGAL NOTICE

NOTICE OF INTENTION TO APPLY FOR LOCAL LAW

The following bill will be introduced at the present session of the Legislature of Alabama, and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter, rearrange, and extend the boundary lines and corporate limits of the city of Linden, in Marengo County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the present boundary lines and corporate limits of the

City of Linden, in Marengo County, Alabama, are hereby altered, rearranged and extended so as to include, in addition to the lands already embraced in the said city limits, the following described lands not heretofore embraced and incorporated within the said City Limits:

Commencing at the Southeast Corner of the NW $\frac{1}{4}$ of Section 32, Township 16, Range 3 East; running thence in a Northwesterly direction to the Southeast Cor of Section 30, Township 16, Range 3 East; thence West along the South line of Section 30 to a point on the South margin of the Old Linden—Jefferson Road; thence in a Westerly direction along the south margin of Old Linden—Jefferson Road to the East margin of a private road; thence running in a Southerly direction along said private road to a point on the South margin of the new Linden—Jefferson Paved Road; thence in a Southeasterly direction along the South margin of the new Linden—Jefferson Paved Road for a distance of 2734 feet; thence South 545 feet to a point on the South Line of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 32, Township 16, Range 3 East; thence East along said South line of the NW $\frac{1}{4}$ of Section 32 to a point where said line intersects with the South margin of the New Linden—Jefferson Paved Road; thence in a Southeasterly direction along the south margin of said New Linden—Jefferson Paved Road to a point where said road intersects with the East line of the SW $\frac{1}{4}$ of Section 32, Township 16, Range 3 East; thence North to the Southeast Corner of the NW $\frac{1}{4}$ of Section 32, Township 16, Range 3 East, the point of beginning, which description embraces a part of the N $\frac{1}{2}$ of the SW $\frac{1}{4}$, part of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$, part of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$, part of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 32, a part of the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 30, and a part of the NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 31; all in Township 16, North, Range 3 East, in Marengo County, Alabama, and which land abuts and adjoins the present corporate limits of the City of Linden, Marengo County, Alabama.

Section 2. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

THE STATE OF ALABAMA MARENGO COUNTY.

Before me, the undersigned authority, in and for said State and County, personally appeared R. E. SUTTON, who is known to me, and who, being by me first duly sworn, deposes and says:

That he is the publisher of The Democrat-Reporter, a newspaper published at Linden, in Marengo County, Alabama, and that the said Democrat-Reporter is printed in said Marengo County, Alabama, and is of general circulation in said County, and has been mailed under a second class mailing privilege at the United States Post Office at Linden, Alabama, regularly each and every week for a period of more than fifty-two (52) consecutive weeks prior to the publication of the Legal Notice, or Advertisement, of notice to apply for local law to alter, rearrange, and extend limits of the City of Linden, Ala., etc., copy of which is hereto attached, and further that said Legal Notice, or Advertisement, was published in the said newspaper, The Democrat-Reporter, for four consecutive weeks, to-wit:—

in the issues dated July 27, 1961, August 3, 1961, August 10, 1961, August 17, 1961, and that each of said above issues was duly circulated among the subscribers of said newspaper.

R. E. SUTTON,
Publisher of The Democrat-Reporter.

Sworn to and subscribed before me this 17th day of August, 1961.

JEAN S. PERRY,
Notary Public.

My Commission expires 4-23, 1962.

By Messrs. Bevill and Shumate (with notice and proof):

H. 1434. To alter and rearrange the boundaries of the town of Dora, Walker County, so as to annex certain territory to the town.

Local Legislation No. 1.

Notice and Proof H. 1434:

LEGALS

A BILL TO BE ENTITLED AN ACT

To alter and rearrange the boundaries of the town of Dora, Walker County, so as to annex certain territory to the town.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries and corporate limits of the town of Dora, Walker County, are hereby altered, rearranged and extended heretofore incorporated into the town, to-wit:

A tract or parcel or land located in the SE $\frac{1}{4}$ of SE $\frac{1}{4}$, Section 19, Township 15 South, Range 5 West, Walker County, Alabama, and being more particularly described as follows: Begin at the southeast corner of the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ and run north along the east line of said forty to the point where the said line intersects the boundary line of the city limits of Dora Alabama; thence run west along the boundary line of said city limits to the west line of said forty; thence run south along the west line of said forty to the southwest corner thereof; thence run east along the south line of said forty to the point of beginning.

Also, a tract or parcel of land located in the SW $\frac{1}{4}$ of SE $\frac{1}{4}$, Section 19, Township 15 South, Range 5 West, Walker County, Alabama, and being more particularly described as follows: Begin at the south west corner of said forty and run north along the west line thereof to the point where the said west line intersects the boundary line of the city limits of Dora, Alabama; thence run east along the boundary line of said city limits to the east line of said forty; thence run south along the east line of said forty to the southeast corner thereof; thence run west along the south line of said forty to the point of beginning.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared Margaret T. Phillips, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was bookkeeper of the Daily Mountain Eagle, a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 17, July 24, July 31, and August 7, all in the year 1961.

MARGARET T. PHILLIPS.

Sworn to and subscribed before me August 7, 1961.

LOIS CARTER,
Title Notary Public.

By Mr. Jones (Covington) (with notice and proof):

H. 1435. Relating to the levy of additional taxes for educational purposes in Covington County; authorizing the court of county commissioners, board of revenue, or other like governing body of the county to levy, when approved at a referendum election, special county privilege license and excise taxes paralleling state sales and use taxes as provided for in Act No. 100, H. 94, approved August 18, 1959, and Article 11 of Chapter 20, Title 51, Code of Alabama 1940, as heretofore amended and supplemented; providing for collection and enforcement of such taxes when levied by the state department of revenue.

Local Legislation No. 1.

Notice and Proof H. 1435:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF COVINGTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the levy of additional taxes for educational purposes in Covington County; authorizing the court of county commissioners, board of revenue, or other like governing body of the county to levy, when approved at a referendum election, special county privilege license and excise taxes paralleling state sales and use taxes as provided for in Act No. 100, H. 94, approved August 18, 1959, and Article 11 of Chapter 20, Title 51,

Code of Alabama 1940, as heretofore amended and supplemented; providing for collection and enforcement of such taxes when levied by the state department of revenue.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall apply only in Covington County.

Section 2. (a) If approved by a majority of the qualified voters of Covington County who vote thereon at the referendum election provided for in subsection (b), the court of county commissioners, board of revenue, or like governing body of said county may adopt an order, ordinance, or resolution levying special county taxes, to parallel state sales and use taxes, in the manner and at the rates prescribed in this Act.

(b) The court of county commissioners, board of revenue, or like governing body of Covington County shall call and provide for holding an election for the purpose of determining whether or not such special county taxes shall be levied and imposed as provided in this Act. The election shall be held on a day not less than 30 nor more than 60 days after the date of this enactment. Notice of the election shall be given not more than 30 nor less than 15 days before the date set for the election, by publication in a newspaper published in the county once a week for two successive weeks. The election shall be held and conducted in the manner provided by law for holding other county elections; and the cost of the election, including the cost of publishing the notice, shall be paid by the county board of education. The question to be voted on shall be stated on the ballots substantially as follows: "Do you favor a county sales tax for educational purposes?"

Section 3. (a) The special county taxes levied pursuant to this Act shall be privilege license and excise taxes in substance as follows:

1. Upon every person, firm, or corporation (not including the State of Alabama or the Alabama Alcoholic Beverage Control Board or ABC stores) engaged or continuing within the county in the business of selling at retail any tangible personal property whatsoever, including merchandise and commodities of every kind and character (not including, however, bonds or other evidence of debt or stocks), an amount equal to one per cent of the gross proceeds of sales of the business except where a different amount is expressly provided herein. Any person engaging or continuing in business as a retailer and wholesaler or jobber shall pay the tax required on the gross proceeds of retail sales of such businesses at the rates specified, when his books are kept so as to show separately the gross proceeds of sales of each business, and when his books are not so kept he shall pay the tax as retailer, on the gross sales of the business.

2. Upon every person, firm, or corporation engaged or continuing within the county in the business of conducting or operating places of amusement or entertainment, billiard and pool rooms, bowling alleys, amusement devices, musical devices, theaters, operate houses, moving picture shows, vaudeville, amusement parks, athletic contests, including wrestling matches, prize fights, boxing and wrestling exhibitions, football and baseball games (including athletic contests conducted by or under the auspices of any educational institution, or any athletic association thereof, or other association whether such institution or association be denominational, a state, county, or a city school, or other institution, association, or school), skating rinks, race tracks, golf courses or any other place at which any exhibition, display, amusement, or entertainment is offered to the

public or place or places where an admission fee is charged, including public bathing places, public dance halls of every kind and description, conducted or carried on within the county, an amount equal to one percent of the gross receipts of any such business.

3. Upon every person, firm, or corporation engaged or continuing within the county in the business of selling at retail machines or machinery used in mining, quarrying, compounding, processing and manufacturing of tangible personal property, and the parts of such machines or machinery, attachments and replacements therefor which are made or manufactured for use on or in the operation of such machines or machinery, and which are necessary to the operation of such machines or machinery, and are customarily so used, an amount equal to one-half of one percent of the gross proceeds of the sale of such machines or machinery, attachments, parts and replacements therefor.

4. Upon every person, firm, or corporation engaged or continuing within the county in the business of selling at retail any automotive vehicle or truck trailer and semi-trailer, an amount equal to one-half of one percent of the gross proceeds of the sale of said automotive vehicle or truck trailer and semi-trailer. Provided, that where any used automotive vehicle or truck trailer or semi-trailer is taken in trade, or in a series of trades, as a credit or part payment of the sale of a new or used vehicle, the tax levied herein shall be paid on the net difference, that is, the price of the new or used vehicle sold less a credit for the used vehicle taken in trade.

5. An excise tax may be imposed on—

The storage, use, or other consumption in the county of tangible personal property purchased at retail, for storage, use or other consumption in the county, at the rate of one percent of the sale price of such property, regardless of whether the retailer is or is not engaged in business in the county or in this state, except as provided in paragraphs a and b below; and

a. The storage, use, or other consumption in the county of any new or used automotive vehicle, truck trailer or semi-trailer purchased at retail for storage, use, or other consumption in the county, at the rate of one-half of one percent of the sales price of such automotive vehicle, truck trailer, or semi-trailer. Where any used automotive vehicle or truck trailer or semi-trailer is taken in trade, or in a series of trades, as a credit or part payment on the sale of a new or used vehicle, the tax levied shall be paid on the net difference, that is, the difference in the price of the new or used vehicle sold less a credit for the used vehicle taken in trade; and

b. The storage, use, or other consumption in the county of any machines or machinery used in mining, quarrying, compounding, processing and manufacturing of tangible personal property, including the parts of such machines or machinery, attachments, and replacements therefor which are made or manufactured for use on or in the operation of such machines or machinery, purchased at retail for storage, use, or other consumption in the county, at the rate of one-half of one percent of the sales price of such machines or machinery or the parts, attachments, or replacements therefor.

(b) There shall be exempted from the levy of such taxes the gross receipts of any business and the gross proceeds of all sales which are exempted under the state sales tax statutes from the computation of the amount of the state sales tax. And there shall also be exempted from the levy the storage, use, or other consumption of property, the storage, use, or other consumption of which is exempted under the state use tax statutes

from the state use tax. Subject to these exemptions, every person storing or using or otherwise consuming in Covington County tangible personal property purchased at retail shall be liable for the tax imposed and the liability shall not be extinguished until the tax has been paid by such person; provided, however, that a receipt from a registered seller given to the purchaser of any property to be used, stored, or consumed in Covington County shall be sufficient to relieve the purchaser from further liability for the tax to which such receipt may refer. The term "registered seller" means the person registered with the state department of revenue pursuant to the state sales tax statutes. The term "state sales tax statutes" means Act No. 100, H. 94, approved August 18, 1959, which levies a retail sales tax for state purposes, and includes all statutes, including amendments to said Act No. 100 heretofore enacted which expressly set forth any exemptions from the computation of the tax levied in said Act No. 100, and all other statutes heretofore enacted which expressly apply to, or purport to affect, the administration of said Act No. 100 and the incidence and collection of the tax imposed therein. The term "state use tax statutes" means Article 11 of Chapter 20, Title 51, Code of Alabama 1940, as heretofore amended, including all statutes heretofore enacted which expressly set forth any exemptions from the computation of the tax levied in said Article 11 and all other statutes heretofore enacted which expressly apply to, or purport to affect, the administration of the said article and the incidences and collection of the tax imposed therein.

(c) For the purpose of this Act, the location of the place of business of the seller shall determine the liability of the seller for the tax levied under the Act.

Section 4. Unless otherwise expressly provided for in the order, ordinance, or resolution levying the taxes herein authorized, such taxes shall become effective on the first day of the second month next following the date of the order, ordinance, or resolution; provided, notice of the adoption of such an order, ordinance, or resolution must be given to the commissioner of the state department of revenue not less than 45 days before the taxes are to become effective. The taxes levied and imposed shall be in addition to all other taxes now provided by law and shall be collected as hereinafter provided.

Section 5. All taxes levied pursuant to this Act shall be paid to and collected by the state department of revenue at the same time and along with the collection of the state sales tax and the state use tax. On or prior to the due dates of the taxes levied each person subject to such taxes shall file with the state department of revenue a report or return in such form as may be prescribed by the department, setting forth with respect to all sales and business that are required to be used as a measurement of the tax levied, a correct statement of the gross proceeds of all such sales and the gross receipts of all such business, and setting forth with respect to the use tax levied, the total sales price of all property, the use, storage, or other consumption of which became subject to the tax during the then preceding quarterly period. Such reports shall include also such other items of information pertinent to the said taxes and the amount thereof as the state department of revenue may require. Any person subject to the taxes levied may defer reporting credit sales until after their collection, and in the event he so defers reporting them, he shall thereafter include in each monthly report all credit collections made during the month preceding, and shall pay the taxes due thereon at the time of filing such report. All reports or returns filed with the state department of revenue under this section shall be available for inspection by the governing body of Covington County, or its designated agent, at reasonable times during business hours.

Section 6. Every registered seller regularly and continually making sales of tangible personal property for storage, use, or other consumption in Covington County (which storage, use, or other consumption is not exempted from the tax imposed) shall at the time of making such sale or, if the storage, use, or other consumption of such tangible personal property in the county is not then taxable under this Act, at the time such storage, use, or other consumption becomes taxable hereunder, collect the tax from the purchaser, and shall give to the purchaser a receipt therefor in the manner and form prescribed by the state department of revenue. On the twentieth day of the month following the close of each quarterly period, each registered seller shall file with the state department of revenue a return for the preceding quarterly period in such form as may be prescribed by the department, showing the total sales of the tangible personal property sold by such registered seller, the storage, use, or other consumption of which became subject to the tax imposed during the then preceding quarterly period; and each return shall be accompanied by a remittance of the amount of the tax required to be collected by such registered seller during the period followed by the return; provided, that any registered seller may defer collecting the tax with respect to credit sales until collection of the proceeds of such sales and may defer reporting credit sales until after their collection, but shall thereafter collect the said taxes along with collection of said credit sales and shall include in each quarterly report all credit collections made during the preceding quarterly period and shall omit the taxes with respect thereto at the time of filing such report or return. Any person who has paid to a registered seller the tax with respect to the use, storage, or other consumption of tangible personal property in Covington County need not file a report or make any further payment of the said tax, but each person who purchases tangible personal property, the storage, use, or other consumption of which is subject to the tax imposed, and who has not paid the tax due with respect thereto to a registered seller, shall report and pay the tax as required by Section 5.

Section 7. Each person engaging or continuing within Covington County in a business subject to the taxes levied pursuant to Section 3 shall add to the sales price or admission fee and collect from the purchaser or the person paying the admission fee the amount due by the taxpayer on account of said taxes; and every registered seller shall likewise add to the sales price and collect from the purchaser the amount of any tax which such registered seller is required to collect. It shall be unlawful for any person subject to the tax levied to fail or refuse to add to the sales price or admission fee and to collect from the purchaser or person paying the admission fee the amount herein required to be so added to the sales or admission price and collected from the purchaser, and it shall likewise be unlawful for any person subject to said tax to refund or offer to refund all or any part of the amount so collected or to absorb or advertise directly or indirectly the absorption or refund of said tax or any portion thereof. It shall likewise be unlawful for any registered seller to fail or refuse to add to the sales price and to collect from the purchaser the amount of the tax imposed or to refund or offer to refund or absorb, or to advertise directly or indirectly the absorption of, said tax or any portion thereof.

Section 8. The taxes imposed pursuant to this Act shall constitute a debt due Covington County and may be collected by civil suit, in addition to all other methods provided by law and in this Act. The said taxes, together with interest and penalties with respect thereto, shall constitute and be secured by a lien upon the property of any person from whom said taxes are due or who is required to collect said taxes. All provisions of the revenue laws of this state which apply to the enforcement of liens for license taxes due the state shall apply fully to the collection of the county

taxes levied and the state department of revenue, for the use and benefit of Covington County shall collect such taxes and enforce this Act and shall have and exercise for such collection and enforcement all rights and remedies that this state or the department has for collection of the state sales tax and the state use tax. The state department of revenue shall have full authority to employ such special counsel as it deems necessary from time to time to enforce collection of the taxes authorized to be levied by this Act, and to otherwise enforce the provisions of this Act, including any litigation involving the Act; and the department shall pay such special counsel such fees as it deems necessary and proper from the proceeds of the taxes collected by it for Covington County.

Section 9. All provisions of the state sales tax statutes with respect to payment, assessment and collection of the state sales tax, making of reports and keeping and preserving records with respect thereto, interest after due date of tax, penalties for failure to pay tax, make reports, or otherwise comply with the state sales tax statutes, the promulgation of rules and regulations with respect to the state sales tax, and the administration and enforcement of the state sales tax statutes, which are not inconsistent with the provisions of this Act when applied to the tax levied pursuant to Section 3 hereof, shall apply to the county tax levied; and all all provisions of the state use tax statutes with respect to payment, assessment and collection of the state use tax, making quarterly reports and keeping and preserving records with respect thereto, interest after due date of tax, penalties for failure to pay tax, make reports or otherwise comply with the state use tax statutes, the promulgation of rules and regulations with respect to the state use tax, and the administration and enforcement of the state use tax statutes, which are not inconsistent with the provisions of this Act when applied to the county use tax levied shall apply to the county tax. The commissioner of revenue and the state department of revenue shall have and exercise the same powers, duties and obligations with respect to the county taxes levied as are imposed on the commissioner and the department, respectively, by the state sales tax statutes and the state use tax statutes. All provisions of the state sales tax statutes and the state use tax statutes that are made applicable in this Act to the county taxes levied and to the administration of this Act are incorporated herein by reference and made a part hereof as if fully set forth herein.

Section 10. The state department of revenue shall charge Covington County for collecting the special county taxes levied such amount or percentage of total collections as may be agreed upon by the commissioner of revenue and the court of county commissioners, board of revenue, or like governing body of the county, but such charge shall not in any event exceed three percent of the total amount of special county taxes collected hereunder within the county. Such charge for collecting the special taxes for the county may be deducted each month from the special sales and special use taxes collected before certifying the amount of the proceeds thereof due Covington County for that month. The commissioner of revenue shall pay into the state treasury all county taxes collected under this Act, as such taxes are received by the department of revenue; and on or before the first day of each successive month (commencing with the month following the month in which the department makes the first collections hereunder), the commissioner shall certify to the state comptroller the amount of taxes collected under the provisions of this Act and paid by him into the state treasury for the benefit of Covington County during the month immediately preceding the making of such certificate. Provided, however, that before certifying the amount of the taxes paid into the state treasury for the benefit of the county during each month, the commissioner may deduct

from the taxes collected in said month the charges due the department for the collection of the taxes for the county. It shall be the duty of the comptroller to issue his warrant each month payable to the custodian of the public funds of Covington County in an amount equal to the amount so certified by the commissioner of revenue as having been collected for the use of the county. The custodian of public funds for Covington County shall deposit the revenue derived from the taxes levied herein in a special account separate and apart from other county funds, and shall maintain separate records of such special account.

Section 11. The revenue derived by the county from the taxes levied under this Act shall be apportioned among the county board of education and the city boards of education within the county on a basis of teacher units as used by the State Board of Education in the final calculation of the minimum program each year.

Section 12. All laws or parts of laws which conflict with this Act are repealed.

Section 13. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 14. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF COVINGTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ed Dannelly, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Andalusia Star News, a newspaper of general circulation published in Covington County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 27, August 3, August 10, and August 17, all in the year 1961.

ED DANNELLY.

Sworn to and subscribed before me this 17th day of August, 1961.

LORA JONES,
Title Notary Public.

By Mr. Dodd:

H. 1436. To further regulate the sale and purchase of County and Municipal bonds, warrants, and other securities; to require prospective purchasers and bidders to file a verified and itemized account of all costs and expenses at the time bids are made; to provide penalties for the failure to file such verified and itemized account; to require all purchasers of

County and Municipal securities to file a verified and itemized account of all costs and expenses directly or indirectly relating to such purchase; to provide penalties for the failure of such purchasers to file such account; and to provide punishment for filing a false account.

Local Government.

By Mr. Cabiness:

H. 1437. To fix the compensation of the Director of Conservation.

Ways and Means.

By Mr. Cabiness:

H. 1438. To amend further Section 5 of Title 8, Code of Alabama 1940, in relation to the election, qualifications, and compensation of the director of conservation.

State Administration.

By Mr. Cabiness:

H. 1439. To amend Act No. 341, H. 17, approved September 5, 1955, an act creating a State Department of Pensions and Security (Acts of Alabama, Regular Session 1955, Vol. II, pp. 763-765), in relation to the election, qualifications, and compensation of the commissioner of the state department of pensions and security.

State Administration.

By Mr. Cabiness:

H. 1440. To provide for the election of the highway director, fix his term of office, and provide for his compensation.

State Administration.

By Mr. Cabiness:

H. 1441. To fix the compensation of the Superintendent of Banks and Savings and Loan Commissioner.

State Administration.

By Mr. Cabiness:

H. 1442. To fix the compensation of the Commissioner of Revenue.

State Administration.

By Mr. Cabiness:

H. 1443. To fix the compensation of the Director of Industrial Relations.

State Administration.

By Mr. Cabiness:

H. 1444. To provide an additional expense allowance for the super-

intendent of education of any county having a population of not less than 36,600 nor more than 37,600 inhabitants according to the 1960 or any subsequent federal census.

Local Legislation No. 1.

By Mr. Cabiness:

H. 1445. To raise revenue; imposing a tax measured by gross sales or gross receipts derived by public utilities from the sale of transportation, gas, water or electricity, the rates or charges for which are customarily fixed and determined by the public service commission of Alabama or like regulatory bodies; providing for the enforcement and collection of the tax; and dedicating the proceeds of the tax to educational purposes.

Ways and Means.

By Messrs. Gilmer and Hain:

H. 1446. To provide additional compensation for registrars in all counties having populations of not less than 55,000 nor more than 60,000, to be paid from the funds of such counties.

Local Legislation No. 1.

By Messrs. Engel, Murphy and Trimmier (with notice and proof):

H. 1447. For the relief of A. F. Harvey and Alice G. Harvey, a co-partnership, doing business as Mobile Bonding Company, of Mobile, Alabama.

Local Legislation No. 1.

Notice and Proof H. 1447:

LEGAL NOTICE

Notice is hereby given that a bill substantially as follows will be introduced in the next regular or special session of the Alabama Legislature:

A BILL ENTITLED AN ACT

For the relief of A. F. Harvey and Alice G. Harvey, a co-partnership, doing business as Mobile Bonding Company, of Mobile, Alabama.

WHEREAS, forfeitures were taken against Mobile Bonding Company of Mobile, Alabama, then owned and operated by A. F. Harvey and Alice G. Harvey, as surety and as the bonding company in the amounts and on the dates for the appearances of the hereafter named defendants to stand trial for the offenses hereafter shown in the Inferior Criminal Court of Mobile County, Alabama, the defendants having failed to appear in said Court, and such forfeitures against each of said defendants and for each of said offenses being paid to said Court on the dates shown and the defendants having been convicted, fined or discharged for the offenses, as follows:

Forfeiture taken against bondsman	Date and amount paid by bondsman	Name	Offense
1. 5/26/54	7/26/54.....\$ 50.00	Willie Hayward.....	No driver's license
2. 5/26/54	12/31/54..... 200.00	Willie Hayward.....	D.W.I.
3. 5/17/54	10/13/54..... 200.00	Wheeler E. Jefferson.....	Assault and battery
4. 4/ 5/54	12/31/55..... 300.00	Edward J. Campbell.....	Bastardy
5. 4/28/54	7/26/54..... 200.00	Alicia Lee Williams.....	D.W.I.
6. 4/12/54	11/30/54..... 100.00	Leonard Ross Sr.....	Reckless driving
7. 3/10/54	12/31/55..... 100.00	Charles Reed.....	No driver's license
8. 3/10/54	12/31/55..... 50.00	Charles Reed.....	Reckless driving
9. 6/19/53	12/31/54..... 200.00	Sonny Holt.....	Assault and battery
10. 12/ 2/53	4/28/54..... 200.00	Oscar Lee Pierce.....	D.W.I.
TOTAL.....		\$1,600	

NOW THEREFORE, Be It Enacted by the Legislature of Alabama:

Section 1. The Board of Revenue of Mobile County, Alabama, is hereby authorized and directed to pay out of the general fund of Mobile County or the Fine and Forfeiture Fund of said County to A. F. Harvey and Alice G. Harvey, doing business as Mobile Bonding Company, the sum of \$1,600.00 as reimbursement in full for the amounts paid by them as forfeitures for the failure of the above named parties to appear to stand trial, said parties having later been apprehended through their bondsman as herein shown.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

W. F. Egan being sworn, says that he is Comptroller of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register March 9, 16, 23, 30, 1961.

W. F. EGAN.

Sworn to and subscribed before me this 29th day of June, 1961.

OAKLEY MELTON, JR.,
Notary Public.

By Messrs. Murphy and Engel:

H. 1448. To amend Section 231, Title 51 of the Code of Alabama 1940, relating to the collection of delinquent taxes by suit.

Ways and Means.

By Messrs. Murphy, Engel and Trimmier (with notice and proof):

H. 1449. To amend Act No. _____, Alabama Laws of 1961, establishing and creating a public corporation in Mobile County for certain purposes, to define certain terms; to provide for the governing body of said corporation, and for the term of office, method of election, compensation and time for meeting of the members of the governing body of said corporation; to provide for the assessing and collection of a special county tax, when au-

thorized by the voters of Mobile County, for public hospital purposes and to allow the corporation to anticipate the proceeds from such special tax.

Local Legislation No. 1.

Notice and Proof H. 1449:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Act No. _____, Alabama Laws of 1961, establishing and creating a public corporation in Mobile County for certain purposes, to define certain terms; to provide for the governing body of said corporation, and for the term of office, method of election, compensation and time for meeting of the members of the governing body of said corporation; to provide for the assessing and collection of a special county tax, when authorized by the voters of Mobile County, for public hospital purposes and to allow the corporation to anticipate the proceeds from such special tax.

Be It Enacted by the Legislature of Alabama:

Section 1. It is the intention of the Legislature by the passage of this Act that the same shall be effective only if and when the Amendment to the Constitution of Alabama proposed by Act No. _____, Alabama Laws of 1961, is ratified and becomes a part of the Constitution of Alabama and that Act No. _____, Alabama Laws of 1961, be amended in the particulars and at the times provided in this Act. This Act shall be liberally construed to give effect to its purpose and intent.

Section 2. Section 2 of Act No. _____, Alabama Laws of 1961, is amended by adding thereto the following provisions:

"(j) 'Special county tax', 'special tax', and 'tax' means the special county tax for public hospital purposes authorized by the voters of Mobile County under the provisions of the Amendment to the Constitution of Alabama proposed by Act No. _____, Alabama Laws of 1961."

Section 3. Ninety (90) days after the authorization by the voters of Mobile County of the special county tax, Section 4 of Act No. _____, Alabama Laws of 1961, shall be amended to read as follows: "The Corporation shall have a Board of Directors which shall consist of nine (9) members and shall constitute the governing body of the Corporation. Members of the Board of Directors shall be residents of the County and shall be elected by the governing body of the County, as hereinafter provided for staggered terms of office, as follows: The first term of one-third (1/3) of the Directors shall be for two (2) years, of another one-third, for four (4) years, and the remaining one-third (1/3) for six (6) years; and thereafter the terms of office of each Director shall be six (6) years; and in each in-

stance, said period shall be measured from October 1 next following the amendment of said Section 4. If any Director dies or resigns or becomes incapable of acting as a Director or ceases to reside in the County, a successor may be elected as Director for the unexpired period of his term in the same manner as such person was elected Director. Directors may succeed themselves in office but not for more than one (1) successive term. The members of the Board of Directors shall serve without compensation, except that they may be reimbursed for actual expenses incurred in the performance of their duties as such. No member of the Board of Directors shall be a member of the governing body of the County or of any Municipality. The Officers of the Corporation shall be a president, a vice president, a secretary-treasurer, and such other officers as may be provided in its by-laws. The Directors shall be elected in the following manner: Not later than sixty (60) days prior to the beginning of the term to be filled, or in case of a vacancy within thirty (30) days after such vacancy, the following persons or organizations shall nominate in writing to the governing body of the County, one person for the position of Director of the Corporation; the Medical Staff of the hospital operated by the Corporation, Mobile Area Chamber of Commerce, the Mobile County P.T.A. Council, the Mobile County Farm Bureau, the Mobile County Bar Association, the United Fund of Mobile County, the Mobile County Red Cross Society, the Mobile County Mental Health Association, the Mobile County Hospital Advisory Committee, the Mobile County Hospital Nursing School Advisory Committee, the Commanding Officer of Brookley Air Force Base, the Presidents of each institution of higher learning in Mobile County, the Mobile Junior Chamber of Commerce, the Mobile County Labor Council, the Association of Veterans Organizations in Mobile County, and the governing body of each participating Municipality. From those persons so nominated, the governing body of the County, not later than thirty (30) days prior to the beginning of the term to be filled or, in case of a vacancy, within sixty (60) days after such vacancy, shall elect the Director or Directors for the new terms or to fill the unexpired term of an existing vacancy."

Section 4. On October 1 next following the authorization by the voters of Mobile County of the special county tax, Section 12 of Act No. _____, Alabama Laws of 1961, shall be amended to read as follows: "When the special county tax has been authorized by the voters of Mobile County, the Tax Collector of the County shall collect such special county tax in the same manner and under the same requirements and laws as taxes of the state are collected, and shall keep said amount separate and apart from all other funds and shall keep a clear and distinct account thereof, and shall turn the same over to the Corporation, whose duty it shall be to receipt therefor. The Corporation, during the month of August each year, shall adopt an operating budget for the fiscal year commencing October 1 next, which shall include (a) all estimated costs of operating, maintaining, and administering the public hospital facilities owned or leased and operated by the Corporation, including rent, payments on any funds borrowed to construct public hospital facilities and on any other obligations of the Corporation, and other costs incurred for public hospital purposes, and (b) all estimated items of income from hospital charges, donations, taxes, government appropriations, or other sources. The Corporation shall, on or before August 31 of each year, certify in writing to the governing body of the County the rate of such special county tax to be levied and collected up to the rate authorized by the electors of Mobile County and thereupon the governing body of the County shall levy and collect such special tax at such rate; provided, however, that if said certification is not so made, the governing body of Mobile County shall levy and collect the special tax in the rate previously authorized by the electors of Mobile County. The

Corporation may anticipate the proceeds from any such special tax so authorized by issuing securities for any one or more of the purposes for which such tax shall have been voted and may pledge for the payment of the principal thereof and interest thereon up to, but not in excess of 75 per cent of the annual proceeds from said tax so paid to it."

Section 5. All laws or parts of laws in conflict with the provisions of this Act are hereby expressly repealed.

Section 6. This Act shall not be construed as a restriction or limitation upon any power, right or remedy which any corporation now in existence or hereafter formed may have in the absence thereof and may be construed as cumulative and independent of any statute authorizing the formation of corporations or conferring on any corporation any power, right or remedy.

Section 7. If any provision or portion of this Act should for any reason be held to be unconstitutional or invalid, the remainder of the Act shall not be affected thereby.

Section 8. This Act shall take effect immediately upon the ratification of the Amendment to the Constitution of the State of Alabama proposed by Act No. _____, Alabama Laws of 1961.

PROOF OF PUBLICATION

THE STATE OF ALABAMA MOBILE COUNTY

DAN E. MILLER, JR., being sworn, says that he is Office Manager of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama; and affiant further says on oath that the following printed notice pasted to this affidavit was published once a week for four consecutive weeks in said Mobile Press.

DAN E. MILLER, JR.

Sworn to and subscribed before me, this the 17th day of August, 1961.

JOHN A. BELL,
Notary Public.

By Messrs. Murphy, Engel and Trimmier (with notice and proof):

H. 1450. To establish and create a public corporation in Mobile County for certain purposes, to define certain terms, to prescribe the powers and duties of the public corporation, to provide for the governing body of said corporation and the term of office, compensation and times for meeting of its members, to prescribe the manner of the issuance, form, sale, refunding, payment and method of testing the validity of securities of the public corporation, the security for such securities, their exemption from taxation, whose obligation such securities shall be, to provide for investment in such securities by fiduciaries, to exempt all property and income of the public corporation from taxation, to authorize the county and any municipality to transfer hospital facilities and funds and to make appropriations to the public corporation and to use bond proceeds for certain purposes, either jointly or by grant to said corporation, to provide for a

fiscal year for said corporation and to empower said corporation to levy and assess any deficit in its budget against the county and the municipalities and to exempt officers and directors of said corporation from personal liability for debts, torts, and undertakings of said corporation, and to make the public corporation a successor to any existing corporation in Mobile County for same purposes.

Local Legislation No. 1.

Notice and Proof H. 1450:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To establish and create a public corporation in Mobile County for certain purposes, to define certain terms, to prescribe the powers and duties of the public corporation, to provide for the governing body of said corporation and the term of office, compensation and times for meeting of its members, to prescribe the manner of the issuance, form, sale, refunding, payment and method of testing the validity of securities of the public corporation, the security for such securities, their exemption from taxation, whose obligation such securities shall be, to provide for investment in such securities by fiduciaries, to exempt all property and income of the public corporation from taxation, to authorize the county and any municipality to transfer hospital facilities and funds and to make appropriations to the public corporation and to use bond proceeds for certain purposes, either jointly or by grant to said corporation, to provide for a fiscal year for said corporation and to empower said corporation to levy and assess any deficit in its budget against the county and the municipalities and to exempt officers and directors of said corporation from personal liability for debts, torts, and undertakings of said corporation, and to make the public corporation a successor to any existing corporation in Mobile County for same purposes.

Be It Enacted by the Legislature of Alabama:

Section 1. It is the intention of the legislature by the passage of this Act to establish and create in Mobile County a public corporation for public hospital purposes, which shall be known as the "Mobile County Hospital Board," and which shall be and constitute a non-profit body corporate and politic and successor to the corporation created and established by determination of the governing body of Mobile County pursuant to the authority and provisions of Act No. _____, Alabama Laws of 1961, and any successor thereto under any other law. It is the legislative intent to confer on such corporation all the powers and authorities granted by that Amendment to the Constitution of Alabama proposed by Act No. _____, Alabama Laws of 1961, and requisite for the fulfillment of the purposes of its organization, including the power to do whatever financing may be necessary to accom-

plish such purposes. This Act shall be liberally construed to give effect to its purpose and intent.

Section 2. The following words, wherever used herein, unless otherwise indicated, shall have the following respective meanings:

(a) "The Corporation" means the public corporation established and created by the provisions of this Act and herein designated as the Mobile County Hospital Board.

(b) "Public hospital facilities" includes the plural as well as the singular and means public hospitals of all types, public clinics, public health centers, related public health facilities such as laboratories, out-patient departments, nurses' homes and training facilities operated in connection with public hospitals.

(d) "Public hospital purposes" includes the acquisition by purchase, lease, donation, or otherwise, and the construction, equipment, operation, and maintenance of public hospital facilities and the treatment and care of indigent persons, or any one or more of such purposes.

(e) "Governing Body" means the board of revenue, or other like governing body of Mobile County and the board of commissioners or the city council or other like governing body of any municipality in Mobile County.

(f) "Board" means the governing body of the Corporation.

(g) "Director" means a member of the Board of Directors of the Corporation.

(h) "Participating Municipality" means a municipality in Mobile County having a population in excess of 1,000 according to the last Federal or other official census.

(i) "County" means Mobile County.

Section 3. The Corporation shall have the following powers, together with all powers incidental thereto or necessary to the discharge thereof in corporate form; to have succession by its corporate name in perpetuity, or until dissolved by the Legislature; to sue and be sued and to defend suits against it; to make use of a corporate seal and to alter the same at pleasure; to receive, acquire, take and hold, whether by purchase, gift, lease, devise or otherwise, real and personal estate of every description, and to manage and dispose of same by any form of legal conveyance or transfer; to acquire, rent, construct, equip, enlarge, improve, maintain, and operate public hospital facilities, and to do all things necessary to that end; to conduct education, programs for hospital personnel; to borrow money and to issue interest bearing securities in evidence of the borrowing; to mortgage, pledge, or otherwise convey its property and its revenues from any source; to appoint and employ such officers and agents, including attorneys and an administrator, as the business of the Corporation may require; to establish and alter and to collect charges for services rendered and supplies furnished by it, but should the Board determine that any patient is unable to pay such charges, then it may establish procedures and rules for excusing the payment of such charges, or such part thereof as it deems proper, and for treating the patient as a charity or indigent case; to make by-laws for the conduct of its affairs and to amend and alter the same from time to time; to make rules and regulations for the treatment of charity patients and for the conduct of any public hospital facility owned or operated by it and from time to time to alter such rules and regulations; to provide for such insurance as the Board may deem advisable; to cooperate with the

State Board of Health and to make contracts with that agency as the Board may deem advisable respecting the operation of any public hospital facility; to take such action not in violation of law as may be necessary in order to qualify the Corporation to receive funds appropriated by the United States or the State of Alabama; to invest in direct general obligations of the United States any funds of the Corporation which the Board may determine are not presently needed for its corporate purposes; to act as the coordinating agent for the master hospital plan for the County within the master hospital plan for the State of Alabama; to contract with any Municipality or with the County for the hospital care and treatment of employees of such Municipality or County who are injured or become ill while engaged in the performance of their duties and while acting within the line and scope of their authorities as employees of such Municipality or County, as the case may be; to contract with any Municipality or with any County for the care of indigent and charity patients residing in said Municipality or County; and to contract, hire or let out the operation of any of its public hospital facilities to any society, organization, association, agency or corporation organized for such purposes.

Section 4. The Corporation shall have a Board of Directors which shall constitute the governing body of the Corporation and which shall be charged with the responsibility of conducting the business and affairs of the Corporation. The Directors of the Corporation shall be appointed by the governing bodies of the County and the participating Municipalities located within the County. The governing body of the County shall appoint two Directors and the governing body of each participating Municipality shall appoint one Director; provided, however, should any participating Municipality have a population in excess of 100,000 inhabitants, the governing body of such participating Municipality shall appoint two Directors. The terms of office of the Directors shall be for the same term as those of the chief executive officer of the county or participating Municipality which appointed the respective Directors. If any Director dies or resigns or becomes incapable of acting as a Director, or ceases to reside in the County, the governing body which appointed such person as a Director may appoint a successor to serve for the unexpired period of such Director's term. Directors may succeed themselves in office and may be members of the governing body by which they are appointed. Directors shall serve as such without compensation, except that they may be reimbursed for actual expenses incurred in the performance of their duties as Directors. The Officers of the Corporation shall be a president, a vice president, a secretary-treasurer, and such other officers as may be provided in its by-laws. The Officers and Directors of the Mobile County Hospital Board in existence at the effective date of this Act shall constitute the initial Officers and Directors of the Corporation.

Section 5. All securities of the Corporation shall be signed by its president and attested by its secretary, and the seal of the Corporation shall be affixed thereto. Any interest coupons applicable to the securities of the Corporation shall be signed by the president, but a facsimile of such president's signature may be impressed on any such interest coupon in lieu of his manually signing his name. Any securities of the Corporation may be executed and delivered by it at any time and from time to time, shall be in such form and denomination and of such tenor and maturities, shall contain such provisions not inconsistent herewith, and shall bear such rate or rates of interest payable and evidenced in such manner as may be provided by resolution of the Board. Any borrowing may be effected by sale of such securities at either public or private sale in such manner and at such price or prices and at such time or times as may be determined by the Board to be most advantageous. Any securities issued by such Corporation

may thereafter at any time (whether before, at or after the maturity thereof) and from time to time be refunded by the issuance, by sale or exchange, of refunding securities. The Corporation may pay all expenses, premiums and commissions which its Board may deem necessary and advantageous in connection with any financing done by it. Securities issued by the Corporation shall not be general obligations of the Corporation but shall be payable solely from the sources specified in the proceedings wherein the securities are authorized to be issued. As security for the payment of the principal of and interest on any securities issued by it, the Corporation may mortgage, pledge, or otherwise convey its property and its revenues from any source, including, but without limitation, (a) taxes which may be levied for the benefit of the Corporation or the proceeds of which may have been appropriated to the Corporation by the Legislature or by the governing body of the County or of a participating Municipality and (b) revenues from the operation of any public hospital facility owned or operated by it. Provided, however, that this provision shall not prohibit payment of the securities from any other funds which may be available therefor under any other provision of law, but further provided, that in no event shall such securities be payable from other funds if the effect thereof would be to subject such securities to any constitutional debt limit or to any constitutional requirement that they be authorized by vote of the qualified voters. Any mortgage, deed of trust, or pledge made by the Corporation may contain such agreements as the Board may deem advisable respecting the operating and maintenance of the property and the use of revenues subject to such mortgages, deed of trust, or pledge and respecting the rights or duties of the parties to such instrument or the parties for the benefit of whom such instrument is made; provided, that no such mortgage or deed of trust shall be subject to foreclosure. All debts created and securities issued by the Corporation shall be solely and exclusively an obligation of the Corporation and shall not create an obligation or debt of the State of Alabama or of the County or of a participating Municipality. The faith and credit of the State of Alabama or of the County or of a participating Municipality shall never be pledged for the payment of any debt incurred or securities issued by the Corporation. All bonds and notes issued by the Corporation, the income therefrom and all mortgages and other instruments executed as security therefor shall be exempt from all taxation in the State of Alabama. All securities issued hereunder shall have preference over claims for salaries or other operation expenses or any other purposes. All pledges of said tax and all contracts made with respect thereto shall take precedence in the order in which they are made, and shall create a charge on the proceeds of said tax prior to the expenses of operation and maintenance of any public hospital facilities.

Section 6. Unless otherwise directed by the court having jurisdiction thereof, or by the document which is the source of authority, a fiduciary may, with the exercise of reasonable business prudence, invest trust funds in securities of the Corporation for payment of the principal of and interest on which the proceeds of any ad valorem, excise, license, or privilege tax are pledged.

Section 7. All real, personal and mixed property that may be owned by the Corporation and all income of the Corporation shall be exempt from state, county and municipal taxation.

Section 8. The County and any participating Municipality are hereby authorized to transfer and convey to the Corporation, without consideration, any hospital facilities that may be owned by the County or participating Municipality, as the case may be, and any funds owned or controlled by the County or participating Municipality, as the case may be, that may

have been raised or allocated for any of the purposes for which the Corporation shall have been organized; provided, that such transfer or conveyance shall be authorized by an ordinance or a resolution duly adopted by the governing body of the County or participating Municipality.

Section 9. Securities reciting that they are issued pursuant to the terms of this Act shall, in any action or proceeding involving their validity, be conclusively deemed to be fully authorized thereby and to have been issued sold, executed and delivered in conformity therewith and with all other provisions of law applicable thereto and shall be incontestable, anything herein or in other statutes to the contrary notwithstanding, unless such action or proceeding is begun before or within thirty (30) days after the day upon which the securities are delivered and paid for, and no irregularity in the proceedings to authorize the issue of securities hereunder nor the omission or neglect of any officer charged with the execution of any duties imposed by this Act shall affect the validity of any securities issued hereunder.

Section 10. The Board, may, in its discretion, before the issuance of any securities, determine the authority of the Corporation to issue such securities and the legality of all proceedings had or taken in connection therewith and the validity of the tax or other means provided for the payment thereof, and the validity of all pledges of revenues and of all covenants and provisions contained in any resolution authorizing the securities in a proceeding instituted and conducted in accordance with Title 7, Section 169 to 176 inclusive, of the Code of Alabama of 1940, as the same may be amended from time to time, or any similar proceeding prescribed by law, but such proceeding shall not be essential to the validity of such securities.

Section 11. Notwithstanding any of the other provisions of this Act or of any resolution of a governing body, whenever a majority of the legal voters of the County or of any participating Municipality, as the case may be, shall at a special or regular election, either heretofore or hereafter duly called and held, authorize the issuance by the County or such participating Municipality of bonds for the purposes of acquiring, providing and constructing public hospital facilities for the County, including the acquisition of lands, furnishings, equipment and fixtures therefor, and other purposes appurtenant or incidental thereto, either jointly with the County or participating Municipality or by making a grant to the Hospital Board created by Act No. 105, Alabama Laws of 1955, as amended, or any successor thereto under that or any other law, the County and/or said participating Municipality, as the case may be, shall have the power, and each is hereby authorized, to issue and sell the bonds approved at such election, and to acquire, provide and construct public hospital facilities for the County, including the acquisition of lands, furnishings, equipment and fixtures therefor, and other purposes appurtenant or incidental thereto, either jointly with the County or participating Municipality or by making a grant of the bond proceeds and other legal available funds to the Corporation.

Section 12. The Corporation, during the month of August each year shall adopt an operating budget for the fiscal year commencing October 1 next, which may include payments, either principal or interest, on any funds borrowed to construct and rent for the lease of public hospital facilities, but not to exceed that of a 360 bed hospital. After adoption of such operating budget, the Corporation shall charge the expense items of construction loan repayments, rents, operational costs, maintenance and administration against all estimated items of income from hospital charges, donations, taxes, government appropriations or other source. Should there

then remain a deficit in said budget, the Corporation will then allocate such deficit among the County and each participating Municipality, such allocation to be in the proportion with the population of each such political subdivision bears to the total population of all such political subdivisions. The Corporation then will assess and levy against and collect from the County and each participating Municipality respectively with its portion of such deficit as so allocated, which sum shall be paid by such political subdivisions in 12 equal monthly installments, one on the first day of each month during the fiscal year.

Section 13. The County or any participating Municipality may make an appropriation or appropriations of money, and are hereby authorized to make payments, out of their respective treasuries for public hospital purposes and to carry out the provisions of this Act; provided that no such appropriation of money shall be made unless the governing body of such political subdivision shall be resolution or ordinance have authorized such appropriation.

Section 14. Neither the Directors nor the Officers of the Corporation shall be personally liable for the debts, torts or undertakings of the Corporation or of any of its activities.

Section 15. The Corporation shall be deemed and considered the corporate successor by merger to the corporation created and established by determination of the governing body of Mobile County under the authority and provisions of Act No. _____, Alabama Laws of 1961, which corporate body then shall be deemed to be dissolved and no longer existent, and all and singular the rights, privileges and powers, and all the property, real, personal and mixed, and all debts due on any account and all other things and action belonging to the dissolved corporation shall be vested in the Corporation, and all rights of creditors of the dissolved corporation shall be preserved unimpaired, and all debts, liabilities and duties of the dissolved corporation shall attach to the Corporation and may be enforced against it to the same extent as if said debts, liabilities and duties had been incurred or contracted by it.

Section 16. All laws or parts of laws in conflict with the provisions of this Act are hereby expressly repealed.

Section 17. This Act shall not be construed as a restriction or limitation upon any power, right or remedy which any corporation now in existence or hereafter formed may have in the absence thereof and may be construed as cumulative and independent of any statute authorizing the formation of corporations or conferring on any corporation any power, right or remedy.

Section 18. If any provision or portion of this Act should for any reason be held to be unconstitutional or invalid, the remainder of the Act shall not be affected thereby.

Section 19. This Act shall take effect immediately upon the ratification of the Amendment to the Constitution of the State of Alabama proposed by Act No. _____, Alabama Laws of 1961.

PROOF OF PUBLICATION

THE STATE OF ALABAMA
MOBILE COUNTY

Dan E. Miller, Jr., being sworn, says that he is Office Manager of the

Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama; and affiant further says on oath that the following printed notice pasted to this affidavit was published once a week for four consecutive weeks in said Mobile Press.

DAN E. MILLER, JR.

Sworn to and subscribed before me, this the 17th day of August, 1961.

JOHN A. BELL,
Notary Public.

By Messrs. Murphy, Engel and Trimmier:

H. 1451. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing and directing Mobile County Public Hospital Board, a public corporation, to prepare a budget for each fiscal year setting forth certain anticipated expenditures and receipts of the said public corporation and to apportion any deficit in said budget among Mobile County and each municipality therein having a population of more than 1,000 according to the last federal census or any subsequent official census; providing that any assessments so made shall constitute debts of said county and said municipalities collectible by the said public corporation by suit or action but shall not constitute debts of the said county and municipalities within the meaning of Sections 224 and 225 of the said constitution; providing that if a special ad valorem county tax for public hospital purposes shall be voted in Mobile County, the power of the said public corporation to make and collect such assessments shall terminate within a specified period thereafter; authorizing the legislature by local or special legislation and without compliance with Section 106 of the constitution to specify the character and maximum capacity of the hospital facilities with respect to which any budget may be prepared by the said public corporation under said amendment; validating all actions of Mobile County Hospital Board created and provided for by Act No. 105 adopted at the 1955 Regular Session of the Legislature of Alabama, as amended; providing for and validating the transfer by the latter board of all of its assets, contracts, properties, obligations and liabilities to the said public corporation and the assumption of all thereof by the said public corporation; providing for the dissolution of the said board created and provided for in the said Act No. 105, as amended; and providing that bonds and other securities issued by the said public corporation shall not be deemed to constitute debts of Mobile County within the meaning of Section 224 or debts of any of said municipalities within the meaning of Section 225 of the constitution and shall not constitute bonds of said county or a subdivision thereof within the meaning of Section 222 of the constitution.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Murphy, Engel and Trimmier:

H. 1452. To propose and to provide for the submission of an amendment to the Constitution of Alabama, applicable to Mobile County only, authorizing the levying of a special ad valorem tax up to but not exceeding three mills, if approved by the voters of Mobile County, for public hospital purposes; authorizing the anticipation of the proceeds from such tax;

authorizing elections by the voters of Mobile County for the authorizing and repealing of said tax under certain circumstances; limiting the rate of ad valorem taxation of Mobile County and Municipalities therein under certain circumstances, and forbidding the appropriation and payment by Mobile County and Municipalities therein of moneys for operation and maintenance of public hospitals and for the care and treatment of indigent patients without a vote of the qualified electors in said political subdivision.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Murphy, Engel and Trimmier:

H. 1453. To amend Sections 3, 4 and 6 of Act No. 46 adopted at the 1949 Regular Session of the Legislature of Alabama so as to permit the governing body of any county having a population of 225,000 according to the last or any subsequent federal census to require, in the resolution consenting to the organization under said act of a public corporation for hospital purposes, (a) that the board of directors of such public corporation shall consist in part of directors elected by the governing body of the county and in part of directors elected by municipalities in the county that fall within population classifications specified in the said resolution, (b) that the number of the said directors and their terms of office shall be as specified in said resolution, (c) that the said public corporation shall accept the transfer to it and assume the assets, properties, obligations and liabilities of any incorporated or unincorporated public board or body, designated by the said governing body in said resolution, that may have been theretofore organized or attempted to be organized in the county for public hospital purposes; and (d) that upon the happening of any contingency specified in said resolution, the directors of the said public corporation shall thereafter be elected, in specified number and for specified terms, by the governing body of the county from persons nominated in the manner provided in said resolution; so as to provide that the certificate of incorporation of any public corporation organized pursuant to authorization in any resolution containing any of said requirements shall comply with the said resolution and that any such public corporation when organized shall comply with the provisions of the said resolution respecting the transfer and assumption of assets, properties, contracts, obligations and liabilities; and so as to permit the governing body of any such county to provide in the said resolution that any director of a public corporation organized pursuant to said resolution may be a member of the governing body that elects him as director.

Local Legislation No. 1.

By Messrs. Murphy, Engel and Trimmier:

H. 1454. To authorize any county having a population of more than 225,000 according to the last or any subsequent federal census and any municipality located wholly or partly within any such county to make appropriations of moneys and transfers of property to or for the benefit of any public hospital corporation now or hereafter organized under Act No. 211 adopted at the 1945 Regular Session of the Legislature of Alabama, Act No. 46 adopted at the 1949 Regular Session of said Legislature, or Act No. 63 adopted at the 1957 Regular Session of said Legislature; to authorize agreements between any such county or municipality and any such public hospital corporation whereunder such corporation will agree to

make available hospital space to inhabitants of the municipality or county, and whereunder the municipality or county will agree to make monthly or annual payments to such corporation of either specified sums or a portion of any deficit in the corporation's annual budget; to provide that any amounts payable by any such county or municipality under any such agreement may be made payable solely from current revenues received during the fiscal year in which such amounts are payable; and to provide that any appropriations made hereunder and any payments provided for in any such agreements shall be deemed revenues of the public hospital corporation receiving them within the meaning of said Act No. 211 and said Act No. 46 and any other applicable statute, and may be pledged as security for obligations of the public hospital corporation pursuant to the provisions of said statutes.

Local Legislation No. 1.

By Messrs. Murphy, Engel and Trimmier:

H. 1455. To propose and to provide for the submission of an amendment to the Constitution of Alabama, applicable to Mobile County only, defining certain terms, making further provisions respecting the organization and establishment of a public corporation in Mobile County by general, special, or local act of the Legislature, setting out the purposes, powers and authority of that public corporation and of its board of directors, authorizing the issuance by such public corporation of bonds or other securities, which shall not constitute bonds within the meaning of Section 222 of the Constitution or debts within the meaning of Sections 224 and 225 of the Constitution and the income from which shall be exempt from taxation, authorizing the pledge of all or any part of the revenues of such public corporation in payment of its securities and the mortgage of all or any part of the property, real or personal, or any interest therein of such public corporation, as security for such payment, authorizing and empowering the public corporation to assess any deficit in its budget against Mobile County and any municipality located therein, which assessment and levy shall not constitute debts within the meaning of Sections 224 and 225 of the Constitution, validating and confirming the organization and creation of the Mobile County Hospital Board, pursuant to Act No. 105, Alabama Laws of 1955, as amended, and all successors thereto, and all actions and acts taken and performed by said Board pursuant and under the authority of said Act and all amendments thereto since its creation.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Murphy, Engel and Trimmier:

H. 1456. To propose and provide for the submission of an amendment to the constitution of Alabama providing for the levy and collection by Mobile County of a special tax, not exceeding three mills on each dollar of taxable property in the county, for public hospital purposes; providing for elections on the levy of the tax and, after a specified period on the discontinuance of the tax or reduction of its rate; providing for disposition of the proceeds from the tax; authorizing Mobile County Public Hospital Board, a public corporation, to anticipate the proceeds from the special tax by issuance of its securities and to make pledges with respect thereto; providing that any securities issued by the said corporation shall not constitute debts of Mobile County within the meaning of Section 224 of the

Constitution or bonds of said county or of a political subdivision thereof, within the meaning of Section 222 of the constitution; providing for reduction of the rates of taxation permitted by the constitution to Mobile County and the municipalities therein when the special tax is being levied and collected; and prohibiting under certain conditions appropriations to said corporation by Mobile County and the municipalities therein.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Murphy, Engel and Trimmier:

H. 1457. To specify the character and size of the public hospital facilities with respect to which items of expenditure may be included in annual budgets prepared pursuant to the provisions of the Constitutional Amendment proposed by that certain Act adopted at the 1961 Regular Session of the legislature that was introduced in the said Legislature as S. B. _____.

Ways and Means.

By Messrs. Goldthwaite, Bailey, Pierce, Thomas, Goodwyn and Lee:

H. 1458. To amend Act No. 528, S. 396, Regular Session 1957, an act relating to the public schools (Acts of Alabama, Reg. Sess. 1957, vol. II, p. 723).

Education.

By Messrs. Salter and Nettles:

H. 1459. To raise revenue by levying for a limited period additional sales and use taxes for the purpose of providing funds for educational purposes; and to prescribe the period during which such taxes shall be levied and collected.

Ways and Means.

By Messrs. Pruitt and Harvey (with notice and proof):

H. 1460. To outlaw the use of certain types of nets in fishing on the Tombigbee River in Sumter County.

Local Legislation No. 1.

Notice and Proof H. 1460:

LEGAL NOTICE

AN ACT

To outlaw the use of certain types of nets in fishing on the Tombigbee River in Sumter County.

Be It Enacted by the Legislature of Alabama:

Section 1. Whoever takes or captures any fish in the Tombigbee River in Sumter County by means of a gill net, hoop net, or trammel net is guilty

of misdemeanor, and upon conviction shall be fined not more than \$500 or sentenced to hard labor for not more than six months, or both. And it shall be unlawful for any person to use a gill net, hoop net, or trammel net or fish basket or box in commercial fishing operations in such waters lying within Sumter County, notwithstanding the fact that such person may hold a commercial fishing gear license issued pursuant to law or under the rules and regulations of the state department of conservation. The department of conservation shall see to it that this law is enforced.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF SUMTER

Before me, the undersigned authority in and for said County in said State, this day personally appeared Dick Smith, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Sumter County Journal, a newspaper of general circulation published in Sumter County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 20, July 27, Aug. 3, and Aug. 10, all in the year 1961.

DICK SMITH.

Sworn to and subscribed before me August 11, 1961.

DORIS HARWELL MITCHELL.
Title Notary Public.

By Messrs. Morrow, Locke, Edwards, Hawkins, Rast, Perry and Sessions:

H. 1461. To further amend Act 661 House Bill 978 approved September 4, 1951 which was amended by Act No. 17 of the Legislature during the second extra session in 1956 as reported in Acts of the said Session at Page 276 and approved March 16, 1956 which act and amendment thereto defines and regulates the issuance of license of barbers, barbershops, barber colleges and other like business and establishes a barber commission in all counties in the State having a population of 400,000 or more according to the last and any subsequent federal census and establishing an inspector, grant powers to the barber commission to make rules and regulations.

Local Legislation No. 2.

By Messrs. Sessions, Rast, Morrow and Perry:

H. 1462. To provide for the compensation to be paid certain officers

by counties having a population of 400,000 or more according to the last or any succeeding decennial federal census; and to assign new and additional duties to some of such officers.

Local Legislation No. 2.

By Messrs. Taylor and Glass:

H. 1463. Providing further for the compensation of members of the jury commission in counties having a population of not less than 24,550 nor more than 24,650 inhabitants, according to the 1960 or any subsequent federal decennial census.

Local Legislation No. 1.

By Messrs. Sessions, Perry, Locke, Rast and Hawkins:

H. 1464. TO AMEND THE TITLE AND ALSO THE BODY OF ACT NO. 122 OF THE LEGISLATURE OF ALABAMA OF 1955, APPROVED JULY 8, 1955, (ACTS OF ALABAMA OF 1955, PAGES 366, ET SEQ.)

Local Legislation No. 2.

By Messrs. Sessions, Perry, Locke, Rast and Hawkins:

H. 1465. TO AMEND ACT NO. 122 OF THE LEGISLATURE OF ALABAMA OF 1955, APPROVED JULY 8, 1955, (ACTS OF ALABAMA OF 1955, PAGE 366, ET SEQ.)

Local Legislation No. 2.

By Messrs. Sessions, Perry, Locke, Morrow, Edwards, Rast and Hawkins:

H. 1466. TO ESTABLISH, SUBJECT TO THE CONDITIONS STATED IN THIS TITLE AND IN THE ACT, IN EACH CITY OF THE STATE HAVING A POPULATION OF 300,000 OR MORE, ACCORDING TO THE LAST OR ANY SUCCEEDING FEDERAL CENSUS, A PENSION AND RELIEF OR RETIREMENT AND RELIEF SYSTEM FOR FIREMEN AND POLICEMEN WHO ARE MEMBERS OF ANY PENSION AND RELIEF OR RETIREMENT AND RELIEF SYSTEM HERETOFORE ESTABLISHED OR HEREAFTER ESTABLISHED UNDER ACT NO. 929 OF THE LEGISLATURE OF ALABAMA OF 1951, APPROVED SEPTEMBER 12, 1951 (ACTS OF ALABAMA OF 1951, PAGE 1579, ET SEQ. AS AMENDED) AND ON WHOSE ACCOUNT OR FOR WHOSE BENEFIT THE CITY BY WHICH THEY ARE EMPLOYED MAKES NO CONTRIBUTION OR PAYS NO TAX TO THE UNITED STATES OF AMERICA UNDER THE FEDERAL SOCIAL SECURITY ACT; TO PROVIDE THAT THE ACT SHALL NOT BE OPERATIVE IN ANY SUCH CITY SO LONG AS THERE IS OPERATED, OR MAINTAINED, IN THE CITY THE PENSION SYSTEM PROVIDED FOR BY ACT NO. 556 OF THE LEGISLATURE OF ALABAMA OF 1959, APPROVED NOVEMBER 19, 1959, AND TO PROVIDE, FURTHER, THAT IF AND WHEN ANY SUCH PENSION SYSTEM PROVIDED FOR BY SAID ACT NO. 556 FOR ANY REASON IS NOT OPERATED AND MAINTAINED IN THE CITY THIS ACT SHALL BECOME OPERATIVE IN THE CITY; TO PRO-

VIDE FOR THE CREATION AND MAINTENANCE OF A FUND FOR THE ADMINISTRATION OF THE PENSION SYSTEM HEREBY CREATED; TO PROVIDE FOR PAYING INTO THE FUND CERTAIN AMOUNTS TO BE DEDUCTED FROM THE SALARIES OF THE MEMBERS OF THE SAID PENSION SYSTEM AND TO PROVIDE ALSO FOR PAYING INTO THE SAID FUND CONTRIBUTIONS BY THE CITY MATCHING THE DEDUCTIONS FROM THE SALARIES OF THE MEMBERS OF THE SAID SYSTEM; TO PROVIDE CERTAIN DISABILITY BENEFITS FOR SUCH FIREMEN AND POLICEMEN AND ALSO CERTAIN BENEFITS FOR THE WIDOWS AND CHILDREN OF ANY SUCH FIREMEN OR POLICEMEN WHO DIE; TO MAKE PROVISION FOR A SUPPLEMENTAL RETIREMENT BENEFIT FOR SUCH FIREMEN AND POLICEMEN, IF AND WHEN SAID ACT NO. 929 IS AMENDED AS STIPULATED IN THIS ACT; TO PROVIDE THAT FROM THE FUND OF THE SYSTEM ESTABLISHED BY THIS ACT CERTAIN PAYMENTS SHALL BE MADE TO THE FUND OF THE SYSTEM ESTABLISHED BY SAID ACT NO. 929, SUBJECT TO SAID ACT NO. 929 BEING AMENDED SO AS TO AUTHORIZE THE BOARD OF MANAGERS OF THE SYSTEM CREATED BY SAID ACT NUMBER 929 TO RECEIVE SAID PAYMENTS; TO ESTABLISH A BOARD OF MANAGERS FOR THE PENSION SYSTEM HEREBY CREATED AND TO PROVIDE FOR THE METHOD OF SELECTION OF THE SAID BOARD AND TO DEFINE THE POWER, AUTHORITY AND DUTIES OF THE SAID BOARD OF MANAGERS; TO PROVIDE FOR THE ACTUARIAL STUDY, INVESTIGATION AND REPORT SHOWING THE PROBABLE ABILITY OR INABILITY OF THE FUND HEREBY CREATED TO MEET THE BENEFITS PROVIDED FOR BY THE SYSTEM CREATED BY THIS ACT; TO PROVIDE FOR PAYING FROM FUNDS OF THE SYSTEM EXPENSES INCURRED IN SECURING ANY SUCH ACTUARIAL STUDY, INVESTIGATION AND REPORT; TO PROVIDE THAT AT TIMES SPECIFIED IN THE ACT THE BOARD OF MANAGERS OF THE PENSION SYSTEM ESTABLISHED BY THE ACT SHALL PRESENT TO EACH MEMBER OF THE HOUSE OF REPRESENTATIVES AND TO THE MEMBER OF THE SENATE OF THE LEGISLATURE OF ALABAMA RESIDING IN ANY COUNTY OR SENATORIAL DISTRICT WHEREIN THERE IS ESTABLISHED ANY PENSION SYSTEM PROVIDED FOR BY THIS ACT THE REPORT AND SURVEY OF A COMPETENT ACTUARY STATING HIS OPINION AS TO THE ABILITY OF THE FUNDS AND RESOURCES OF THE SAID SYSTEM TO MEET THE BENEFITS PROVIDED, WHICH SAID REPORT OR SURVEY SHALL GIVE SUCH OPINION SEPARATELY AND SEVERALLY WITH RESPECT TO EACH OF THE SAID BENEFITS, AND WHICH SAID REPORT OR SURVEY SHALL CONTAIN THE OPINION OF THE SAID ACTUARY AS TO WHETHER HE CONSIDERS ANY CHANGE IN THE BENEFITS NECESSARY IN ORDER TO ASSURE SOLVENCY OF THE FUND, AND IF SO, WHAT CHANGES HE CONSIDERS NECESSARY.

By Messrs. Long (Landerdale) and Broadfoot:

H. 1467. Relating to school finances; providing for use of certain ear-marked or dedicated school revenues for general educational purposes, including payment of teachers' salaries; repealing conflicting laws.

Ways and Means.

By Messrs. Long (Lauderdale) and Broadfoot:

H. 1468. To prohibit the taking of mussels from the public waters in any county having a population of not less than 61,000 nor more than 65,000, according to the most recent federal decennial census; and prescribing the penalties for violation of this Act.

Local Legislation No. 1.

By Mr. Oden:

H. 1469. To propose a constitutional amendment relative to levying additional taxes in Franklin County for public school purposes.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Self:

H. J. R. 90. WHEREAS the critical financial condition of the schools has forced postponement of the opening of schools until the situation is somewhat relieved; and

WHEREAS many members are advertising local bills that would alleviate the situation if the advertisement can be completed and the bills enacted as intended; now therefore, be it

RESOLVED BY THE HOUSE, THE SENATE CONCURRING, That when the two Houses adjourn today, they will adjourn to meet again on Friday, August 25;

On motion of Mr. Self the rules were suspended and H. J. R. 90 was adopted.

Yeas 74; Nays 6.

Yeas:

Mr. Speaker	Bishop	Casey	Edwards
Adams	Boyd	Cates	Engel
Avery	Britton	Chambers	Faulk
Bailey	Broadfoot	Cornett	Franklin
Barnett	Brooks	Daniel	Gilchrist
Bassett	Cabiness	Dickson	Gilmer
Bevill	Camp	Dodd	Glass

Goodwyn	Jenkins	Phillips	Shumate
Gordon	Jones (Covington)	Powell	Smith (Russell)
Grant	Lee	Pruitt	Smith (St. Clair)
Gross	Locke	Ramey	Solomon
Grouby	Long (Perry)	Rast	Speaks
Cuthrie	McClendon (Chambers)	Ray	Sullivan
Hain	McLendon (Bullock)	Reynolds (Chambers)	Taylor
Hanby	Murphy	Reynolds (Madison)	Thomas
Hankins	Nettles	Rozelle	Torbert
Harvey	Nichols	Self	Turner
Hawkins	Oakley	Sessions	Turnham
Ingram	Oden		

—74

Nays:

Messrs.	Brewer	Jones (Monroe)	Merrill
Albea	Harris	Martin	

—6

Also:

By Messrs. Goodwyn, Chambers, Bailey, Pierce, Goldthwaite, Jones, (Monroe), Jones (Covington), McLendon (Bullock), Dickson, Long (Perry), Powell, Faulk, Grouby, Bassett, Thomas, Lee, Barnett, Cornett, Cook, Steagall, McCorquodale, Dunn, Vickers, Torbert, Solomon, Turnham, Rast, Oakley, Nettles, Daniel, Grant, Boyd, Owens, Salter, Brooks, Brannan, Nichols, Adams, Gilmer, Hain, McClendon (Chambers) and Reynolds (Chambers):

H. J. R. 91: WHEREAS, the Federal Communications Commission proposes to require all television stations in the Montgomery, Alabama, area to operate on the limited coverage UHF (ultra high frequency) band and thus eliminate the area's only wide range VHF (very high frequency) station, WSFA-TV, Channel 12; and

WHEREAS, Channel 12 has a long record of faithful and conscientious service to the people of Central and South Alabama, offering viewers a great variety of programs in the public interest—such as news broadcasts, timely interviews, public information shows and special events—to keep residents of this area continually posted on important news, weather bulletins and issues of the day, including events occurring at the State Capitol; and

WHEREAS, the Federal Communications Commission in 1952 acted in behalf of some 250,000 families of this area in allocating a maximum range VHF channel to Montgomery and Channel 12 has been on the air since 1954 making good use of this channel allocation and as a "trustee" of this channel protecting the right of Central and South Alabama citizens to this VHF television service; and

WHEREAS, some 200,000 homes in this area which presently receive Montgomery-originated television programs stand to lose this service if Channel 12 is abolished and a weak signal UHF station substituted, denying all television to many homes and curtailing service in more than 20 Alabama counties; and

WHEREAS, the removal of Montgomery's only VHF station would

deprive many thousands of Central and South Alabama residents of television service from their State Capitol—when every other State Capitol in the United States has high power VHF service—and leave this area to be served by stations at Columbus, Georgia; Albany, Georgia; Panama City, Florida; Pensacola, Florida, and Meridian, Mississippi, all stations which are hardly interested in the affairs of state in Alabama; and

WHEREAS, other television stations of this area are also opposed to the recent proposal of the Federal Communications Commission, viewing this action as detrimental to the established Montgomery area market and contrary to the public interest; and

WHEREAS, the Governor of Alabama, Honorable John Patterson; our United States Senators, Honorable Lister Hill and Honorable John Sparkman, our Congressmen and many others have joined in protesting the unwarranted action of the Federal Communications Commission in proposing to eliminate Montgomery's only VHF outlet:

NOW, THEREFORE, BE IT RESOLVED BY HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that the Legislature formally go on record to deplore the proposed ruling of the Federal Communications Commission, to urge the Commission to reconsider its action and to strongly recommend that Montgomery remain an outlet for high quality VHF television.

BE IT FURTHER RESOLVED that copies of this Resolution be forwarded by the Clerk of the House to the Chairman of the Federal Communications Commission, Honorable Newton Minow, and to each of the Members of the Commission and to the United States Senators and each of the Congressmen from the State of Alabama.

On motion of Mr. Goodwyn the rules were suspended and H. J. R. 91 was adopted.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Cook	Crouby	Martin
Adams	Copeland	Guthrie	Merrill
Albea	Cornett	Hain	Morrow
Avery	Daniel	Hanby	Murphy
Bailey	Dickson	Hankins	Nettles
Barnett	Dodd	Harris	Nichols
Bassett	Dunn	Harvey	Oakley
Bevill	Edwards	Hawkins	Owens
Bishop	Engel	Hearn	Phillips
Boyd	Faulk	Ingram	Pierce
Brannan	Ferguson	Jenkins	Powell
Branyon	Franklin	Jones (Covington)	Pruitt
Britton	Gilchrist	Jones (Monroe)	Ramey
Broadfoot	Gilmer	Lee	Rast
Brooks	Glass	Locke	Ray
Cabiness	Goldthwaite	Long (Lauderdale)	Reynolds (Chambers)
Callahan	Goodwyn	Long (Perry)	Rozelle
Casey	Gordon	McClendon (Chambers)	Salter
Cates	Grant	McCorquodale	Self
Chambers	Gross	McLendon (Bullock)	Sessions

Smith (Russell)	Speaks	Taylor	Trimmier
Smith (St. Clair)	Steagall	Thomas	Turnham
Solomon	Sullivan	Torbert	Vickers

—92

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Hankins to suspend the rules in order to take up for immediate consideration the third reading of local bills was adopted.

BILLS ON THIRD READING

H. 1229. To establish the position of official host and guide for Baldwin County at Fort Morgan; to prescribe his duties and provide for his compensation by Baldwin County; and to appoint Hatchett Chandler to such position.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 98; Nays 0.

Yeas:

Mr. Speaker	Dodd	Jenkins	Pruitt
Adams	Dunn	Johnson (J. T. Tom)	Ramey
Albea	Edwards	Jones (Covington)	Rast
Avery	Engel	Jones (Monroe)	Ray
Bailey	Faulk	Lee	Reynolds (Chambers)
Barnett	Ferguson	Locke	Reynolds (Madison)
Bassett	Franklin	Long (Lauderdale)	Roberts
Bevill	Gilchrist	Long (Perry)	Rozelle
Bishop	Gilmer	McClendon (Chambers)	Salter
Boyd	Glass	McCorquodale	Self
Brannan	Goldthwaite	McLendon (Bullock)	Sessions
Branyon	Goodwyn	Martin	Shumate
Brewer	Gordon	Meade	Smith (Russell)
Britton	Grant	Merrill	Smith (St. Clair)
Broadfoot	Gross	Morrow	Solomon
Brooks	Grouby	Murphy	Speaks
Cabiness	Guthrie	Nettles	Steagall
Camp	Hain	Nichols	Sullivan
Casey	Hanby	Oakley	Taylor
Cates	Hankins	Oden	Thomas
Cook	Harris	Owens	Torbert
Copeland	Harvey	Phillips	Turner
Cornett	Hawkins	Pierce	Turnham
Daniel	Hearn	Powell	Vickers
Dickson	Ingram		

—98

And the bill:

H. 1238. Relating to Colbert County; fixing the compensation of the chairman of the board of revenue, court of county commissioners, or other like governing body of Colbert County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Dodd	Ingram	Pruitt
Adams	Dunn	Jenkins	Ramey
Albea	Edwards	Johnson (J. T. Tom)	Rast
Avery	Engel	Jones (Covington)	Ray
Bailey	Faulk	Jones (Monroe)	Reynolds (Chambers)
Barnett	Ferguson	Lee	Reynolds (Madison)
Bassett	Franklin	Locke	Roberts
Bevill	Gilchrist	Long (Perry)	Rozelle
Bishop	Gilmer	McClendon (Chambers)	Salter
Boyd	Glass	McCorquodale	Self
Brannan	Goldthwaite	McLendon (Bullock)	Sessions
Branyon	Goodwyn	Martin	Shumate
Brewer	Gordon	Meade	Smith (Russell)
Britton	Grant	Merrill	Smith (St. Clair)
Broadfoot	Gross	Morrow	Solomon
Brooks	Grouby	Murphy	Speaks
Cabiness	Guthrie	Nettles	Steagall
Camp	Hain	Nichols	Sullivan
Casey	Hanby	Oakley	Taylor
Cates	Hankins	Oden	Thomas
Cook	Harris	Owens	Torbert
Copeland	Harvey	Phillips	Turner
Cornett	Hawkins	Pierce	Turnham
Daniel	Hearn	Powell	Vickers
Dickson			

—97

And the bill:

H. 1239. Relating to Colbert County; fixing the compensation of members, other than the chairman, of the board of revenue, court of county commissioners, or other like governing body of Colbert County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 98; Nays 0.

Yeas:

Mr. Speaker	Brooks	Faulk	Hankins
Adams	Cabiness	Ferguson	Harris
Albea	Callahan	Franklin	Harvey
Avery	Camp	Gilchrist	Hawkins
Bailey	Casey	Gilmer	Hearn
Barnett	Cates	Glass	Ingram
Bassett	Cook	Goldthwaite	Jenkins
Bevill	Copeland	Goodwyn	Johnson (J. T. Tom)
Bishop	Cornett	Gordon	Jones (Covington)
Boyd	Daniel	Grant	Jones (Monroe)
Brannan	Dickson	Gross	Lee
Branyon	Dodd	Grouby	Locke
Brewer	Dunn	Guthrie	Long (Perry)
Britton	Edwards	Hain	McClendon (Chambers)
Broadfoot	Engel	Hanby	McCorquodale

McLendon (Bullock)	Owens	Roberts	Speaks
Martin	Phillips	Rozelle	Steagall
Meade	Pierce	Salter	Sullivan
Merrill	Powell	Self	Taylor
Morrow	Pruitt	Sessions	Thomas
Murphy	Ramey	Shumate	Torbert
Nettles	Rast	Smith (Russell)	Turner
Nichols	Ray	Smith (St. Clair)	Turnham
Oakley	Reynolds (Chambers)	Solomon	Vickers
Oden	Reynolds (Madison)		

—98

And the bill:

H. 1240. To vacate and annul as a public street, thorough-fare, avenue or public way and to divest and terminate the right of the public and the City of Muscle Shoals, Alabama, to use as a street, thorough-fare, avenue or public way that part of Worthington Avenue, Barry's Business Centre, Block "A", City of Muscle Shoals, Alabama, Colbert County, Alabama, lying between the easterly boundary of Burrough Avenue and the westerly boundary of Fords Way; also that part of said Worthington Avenue lying between the eastern boundary of Fords Way and the western boundary of Edison Avenue and also all that part of said Worthington Avenue lying between the eastern boundary of Edison Avenue and the west boundary of Firestone Avenue.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 99; Nays 0.

Yeas:

Mr. Speaker	Dickson	Ingram	Pruitt
Adams	Dodd	Jenkins	Ramey
Albea	Dunn	Johnson (J. T. Tom)	Rast
Avery	Edwards	Jones (Covington)	Ray
Bailey	Engel	Jones (Monroe)	Reynolds (Chambers)
Barnett	Faulk	Lee	Reynolds (Madison)
Bassett	Ferguson	Locke	Roberts
Bevill	Franklin	Long (Lauderdale)	Rozelle
Bishop	Gilchrist	Long (Perry)	Salter
Boyd	Gilmer	McClendon (Chambers)	Self
Brannan	Glass	McCorquodale	Sessions
Branyon	Goldthwaite	McLendon (Bullock)	Shumate
Brewer	Goodwyn	Martin	Smith (Russell)
Britton	Gordon	Meade	Smith (St. Clair)
Broadfoot	Grant	Merrill	Solomon
Brooks	Gross	Morrow	Speaks
Cabiness	Grouby	Murphy	Steagall
Callahan	Guthrie	Nettles	Sullivan
Camp	Hain	Nichols	Taylor
Casey	Hanby	Oakley	Thomas
Cates	Hankins	Oden	Torbert
Cook	Harris	Owens	Turner
Copeland	Harvey	Phillips	Turnham
Cornett	Hawkins	Pierce	Vickers
Daniel	Hearn	Powell	

—99

And the bill:

H. 1290. Authorizing counties having a population of not less than 60,000 nor more than 62,500 and not less than 36,000 nor more than 37,500 according to the last or any subsequent federal decennial census, and the municipalities within such counties, either singly or jointly, to create Airport Authority Boards; providing for the selection of the members of such boards, and prescribing their qualifications and terms; and providing for the organization, jurisdiction, powers and duties of such boards.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 99; Nays 0.

Yeas:

Mr. Speaker	Dickson	Ingram	Pruitt
Adams	Dodd	Jenkins	Ramey
Albea	Dunn	Johnson (J. T. Tom)	Rast
Avery	Edwards	Jones (Covington)	Ray
Bailey	Engel	Jones (Monroe)	Reynolds (Chambers)
Barnett	Faulk	Lee	Reynolds (Madison)
Bassett	Ferguson	Locke	Roberts
Bevill	Franklin	Long (Lauderdale)	Rozelle
Bishop	Gilchrist	Long (Perry)	Salter
Boyd	Gilmer	McClendon (Chambers)	Self
Brannan	Glass	McCorquodale	Sessions
Branyon	Goldthwaite	McLendon (Bullock)	Shumate
Brewer	Goodwyn	Martin	Smith (Russell)
Britton	Gordon	Meade	Smith (St. Clair)
Broadfoot	Grant	Merrill	Solomon
Brooks	Gross	Morrow	Speaks
Cabiness	Grouby	Murphy	Steagall
Callahan	Guthrie	Nettles	Sullivan
Camp	Hain	Nichols	Taylor
Casey	Hanby	Oakley	Thomas
Cates	Hankins	Oden	Torbert
Cook	Harris	Owens	Turner
Copeland	Harvey	Phillips	Turnham
Cornett	Hawkins	Pierce	Vickers
Daniel	Hearn	Powell	

—99

And the bill:

S. 477. To amend further Section 713 of Title 7, Code of Alabama 1940, which relates to the printing and publishing of legal advertisements.

Was taken up.

Mr. Bishop offered the following amendment to the bill, S. 477:

Amendment to S. B. 477:

In Section 1, strike out the last sentence and insert in lieu thereof the following:

In all counties having populations of not less than 46,500 nor more than 48,000, according to the most recent federal decennial census, the

publication of any notice required by law or mortgage or other contract to be published in a newspaper may be published in any newspaper printed in the English language which has general circulation in the county, regardless of where the paper is printed, and regardless of whether or not said newspaper is mailed under the second class mailing privilege of the United States Post Office Department, provided the principal editorial office of the newspaper is located within the county.

And the amendment was adopted.

Yeas 99; Nays 0.

Yeas:

Mr. Speaker	Dickson	Ingram	Pruitt
Adams	Dodd	Jenkins	Ramey
Albea	Dunn	Johnson (J. T. Tom)	Rast
Avery	Edwards	Jones (Covington)	Ray
Bailey	Engel	Jones (Monroe)	Reynolds (Chambers)
Barnett	Faulk	Lee	Reynolds (Madison)
Bassett	Ferguson	Locke	Roberts
Bevill	Franklin	Long (Lauderdale)	Rozelle
Bishop	Gilchrist	Long (Perry)	Salter
Boyd	Gilmer	McClendon (Chambers)	Self
Brannan	Glass	McCorquodale	Sessions
Branyon	Goldthwaite	McLendon (Bullock)	Shumate
Brewer	Goodwyn	Martin	Smith (Russell)
Britton	Gordon	Meade	Smith (St. Clair)
Broadfoot	Grant	Merrill	Solomon
Brooks	Gross	Morrow	Speaks
Cabiness	Grouby	Murphy	Steagall
Callahan	Guthrie	Nettles	Sullivan
Camp	Hain	Nichols	Taylor
Casey	Hanby	Oakley	Thomas
Cates	Hankins	Oden	Torbert
Cook	Harris	Owens	Turner
Copeland	Harvey	Phillips	Turnham
Cornett	Hawkins	Pierce	Vickers
Daniel	Hearn	Powell	

—99

And said bill, S. 477, as thus amended, was read a third time at length and passed.

Yeas 99; Nays 0.

Yeas:

Mr. Speaker	Branyon	Copeland	Gilchrist
Adams	Brewer	Cornett	Gilmer
Albea	Britton	Daniel	Glass
Avery	Broadfoot	Dickson	Goldthwaite
Bailey	Brooks	Dodd	Goodwyn
Barnett	Cabiness	Dunn	Gordon
Bassett	Callahan	Edwards	Grant
Bevill	Camp	Engel	Gross
Bishop	Casey	Faulk	Grouby
Boyd	Cates	Ferguson	Guthrie
Brannan	Cook	Franklin	Hain

Hanby	Long (Perry)	Phillips	Shumate
Hankins	McClendon (Chambers)	Pierce	Smith (Russell)
Harris	McCorquodale	Powell	Smith (St. Clair)
Harvey	McLendon (Bullock)	Pruitt	Solomon
Hawkins	Martin	Ramey	Speaks
Hearn	Meade	Rast	Steagall
Ingram	Merrill	Ray	Sullivan
Jenkins	Morrow	Reynolds (Chambers)	Taylor
Johnson (J. T. Tom)	Murphy	Reynolds (Madison)	Thomas
Jones (Covington)	Nettles	Roberts	Torbert
Jones (Monroe)	Nichols	Rozelle	Turner
Lee	Oakley	Salter	Turnham
Locke	Oden	Self	Vickers
Long (Lauderdale)	Owens	Sessions	

—99

And the bill:

H. 1306. To propose a constitutional amendment relative to levying additional taxes in Chilton County for acquiring, constructing and maintaining a vocational trade school and for rural and industrial development of the county.

Was taken up.

Mr. Speaks offered the following amendment to the bill, H. 1306:

Amendment to H. B. 1306

Strike out the word and figures "Section 5." and insert in lieu thereof the words and figures "Section 2.";

Also, strike out the word and figures "Section 6." and insert in lieu thereof "Section 3."

Also, in the proposed constitutional amendment, insert quotation marks before "Section 3." and "Section 4."; also, in Section 4 of the proposed amendment insert quotation marks after "no enabling legislation."

And the amendment was adopted.

Yeas 99; Nays 0.

Yeas:

Mr. Speaker	Broadfoot	Edwards	Guthrie
Adams	Brooks	Engel	Hain
Albea	Cabiness	Faulk	Hanby
Avery	Callahan	Ferguson	Hankins
Bailey	Camp	Franklin	Harris
Barnett	Casey	Gilchrist	Harvey
Bassett	Cates	Gilmer	Hawkins
Bevill	Cook	Glass	Hearn
Bishop	Copeland	Goldthwaite	Ingram
Boyd	Cornett	Goodwyn	Jenkins
Brannan	Daniel	Gordon	Johnson (J. T. Tom)
Branyon	Dickson	Grant	Jones (Covington)
Brewer	Dodd	Gross	Jones (Monroe)
Britton	Dunn	Grouby	Lee

Locke	Nettles	Ray	Solomon
Long (Lauderdale)	Nichols	Reynolds (Chambers)	Speaks
Long (Perry)	Oakley	Reynolds (Madison)	Steagall
McClendon (Chambers)	Oden	Roberts	Sullivan
McCorquodale	Owens	Rozelle	Taylor
McLendon (Bullock)	Phillips	Salter	Thomas
Martin	Pierce	Self	Torbert
Meade	Powell	Sessions	Turner
Merrill	Pruitt	Shumate	Turnham
Morrow	Ramey	Smith (Russell)	Vickers
Murphy	Rast	Smith (St. Clair)	

—99

And said bill, H. 1306, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 99; Nays 0.

Yeas:

Mr. Speaker	Dickson	Ingram	Pruitt
Adams	Dodd	Jenkins	Ramey
Albea	Dunn	Johnson (J. T. Tom)	Rast
Avery	Edwards	Jones (Covington)	Ray
Bailey	Engel	Jones (Monroe)	Reynolds (Chambers)
Barnett	Faulk	Lee	Reynolds (Madison)
Bassett	Ferguson	Locke	Roberts
Bevill	Franklin	Long (Lauderdale)	Rozelle
Bishop	Gilchrist	Long (Perry)	Salter
Boyd	Gilmer	McClendon (Chambers)	Self
Brannan	Glass	McCorquodale	Sessions
Branyon	Goldthwaite	McLendon (Bullock)	Shumate
Brewer	Goodwyn	Martin	Smith (Russell)
Britton	Gordon	Meade	Smith (St. Clair)
Broadfoot	Grant	Merrill	Solomon
Brooks	Gross	Morrow	Speaks
Cabiness	Grouby	Murphy	Steagall
Callahan	Guthrie	Nettles	Sullivan
Camp	Hain	Nichols	Taylor
Casey	Hanby	Oakley	Thomas
Cates	Hankins	Oden	Torbert
Cook	Harris	Owens	Turner
Copeland	Harvey	Phillips	Turnham
Cornett	Hawkins	Pierce	Vickers
Daniel	Hearn	Powell	

—99

And the bill:

H. 1308. To provide additional revenue in Cullman County; authorizing the Court of County Commissioners, Board of Revenue, or like county governing body, to levy, when approved at a referendum election, special county privilege license taxes paralleling, at lower rates, state sales and use taxes as provided for in Act No. 100, H. 94, approved August 18, 1959, and in Article 11 of Chapter 20, Title 51, Code of Alabama of 1940, as heretofore or hereafter amended or supplemented; and to provide for the ascertainment, collection, payment, distribution and use of the proceeds of such license tax; and for the enforcement of this Act; and to prescribe penalties and fixing punishment for any violation of this Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 99; Nays 0.

Yeas:

Mr. Speaker	Dickson	Ingram	Pruitt
Adams	Dodd	Jenkins	Ramey
Albea	Dunn	Johnson (J. T. Tom)	Rast
Avery	Edwards	Jones (Covington)	Ray
Bailey	Engel	Jones (Monroe)	Reynolds (Chambers)
Barnett	Faulk	Lee	Reynolds (Madison)
Bassett	Ferguson	Locke	Roberts
Bevill	Franklin	Long (Lauderdale)	Rozelle
Bishop	Gilchrist	Long (Perry)	Salter
Boyd	Gilmer	McClendon (Chambers)	Self
Brannan	Glass	McCorquodale	Sessions
Branyon	Goldthwaite	McLendon (Bullock)	Shumate
Brewer	Goodwyn	Martin	Smith (Russell)
Britton	Gordon	Meade	Smith (St. Clair)
Broadfoot	Grant	Merrill	Solomon
Brooks	Gross	Morrow	Speaks
Cabiness	Grouby	Murphy	Steagall
Callahan	Guthrie	Nettles	Sullivan
Camp	Hain	Nichols	Taylor
Casey	Hanby	Oakley	Thomas
Cates	Hankins	Oden	Torbert
Cook	Harris	Owens	Turner
Copeland	Harvey	Phillips	Turnham
Cornett	Hawkins	Pierce	Vickers
Daniel	Hearn	Powell	

—99

And the bill:

H. 1312. To amend Section 1 of Act No. 23, H. 3, Second Special Session 1955, an act relating to the Nineteenth Judicial Circuit and authorizing the circuit solicitor to appoint a stenographic secretary.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Brewer	Daniel	Goldthwaite
Adams	Britton	Dickson	Goodwyn
Albea	Broadfoot	Dodd	Gordon
Avery	Brooks	Dunn	Grant
Bailey	Cabiness	Edwards	Gross
Barnett	Callahan	Engel	Grouby
Bassett	Camp	Faulk	Guthrie
Bevill	Casey	Ferguson	Hain
Bishop	Cates	Franklin	Hanby
Boyd	Cook	Gilchrist	Hankins
Brannan	Copeland	Gilmer	Harris
Branyon	Cornett	Glass	Harvey

Hawkins	McCorquodale	Pierce	Shumate
Hearn	McLendon (Bullock)	Powell	Smith (Russell)
Ingram	Martin	Pruitt	Smith (St. Clair)
Jenkins	Meade	Ramey	Solomon
Johnson (J. T. Tom)	Merrill	Rast	Speaks
Johnston (Leonard)	Morrow	Ray	Steagall
Jones (Covington)	Murphy	Reynolds (Chambers)	Sullivan
Jones (Monroe)	Nettles	Reynolds (Madison)	Taylor
Lee	Nichols	Roberts	Thomas
Locke	Oakley	Rozelle	Torbert
Long (Lauderdale)	Oden	Salter	Turner
Long (Perry)	Owens	Self	Turnham
McClendon (Chambers)	Phillips	Sessions	Vickers

—100

And the bill:

H. 1313. Relating to all counties which have populations of not less than 28,000 nor more than 30,550 according to the most recent or any subsequent federal decennial census; levying a license tax on persons and others engaging in selling tangible personal property at retail and on persons and others conducting places of amusement in said counties, the said tax to be measured by the gross receipts or gross proceeds of such businesses; levying an excise tax on the storage, use or other consumption in said counties of tangible personal property purchased for use, storage or other consumption in said counties; specifying sales and transactions that are exempt from the measurement of the said license tax; specifying property the use, storage or other consumption of which is exempt from the said excise tax; providing for payment of said taxes, making reports and maintaining records with respect thereto, the collection of the said taxes, and the enforcement of the provisions of this act; making applicable to the taxes herein levied, and adopting by reference, certain provisions of Act No. 100 adopted at the 1959 Second Special Session of the Legislature of Alabama and of Article 11 of Chapter 20 of Title 51 of the Code of Alabama, as amended; providing that the Commissioner of Revenue and the State Department of Revenue shall have all powers and duties respecting the taxes herein levied and the collection thereof that they have under said Act No. 100 and said Article 11, as amended as aforesaid; providing for collection of said excise tax by sellers registered under Section 790 of Title 51 of the Code of Alabama of 1940, as amended; providing that the said license tax shall be added to the sales price or admission fee and passed on to the purchaser or person paying the said admission fee; providing for a discount to persons subject to the said license tax and to such registered sellers; providing for a charge by the State Department of Revenue for collecting the taxes herein levied; and providing for the use of the revenues from said taxes.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Bassett	Brewer	Camp
Adams	Bevill	Britton	Casey
Albea	Bishop	Broadfoot	Cates
Avery	Boyd	Brooks	Chambers
Bailey	Brannan	Cabiness	Cook
Barnett	Branyon	Callahan	Copeland

Cornett	Hain	McLendon (Bullock)	Reynolds (Madison)
Daniel	Hanby	Martin	Roberts
Dickson	Hankins	Meade	Rozelle
Dodd	Harris	Merrill	Salter
Dunn	Harvey	Morrow	Self
Edwards	Hawkins	Murphy	Sessions
Engel	Hearn	Nettles	Shumate
Faulk	Ingram	Nichols	Smith (Russell)
Ferguson	Jenkins	Oakley	Smith (St. Clair)
Franklin	Johnson (J. T. Tom)	Oden	Solomon
Gilchrist	Johnston (Leonard)	Owens	Speaks
Gilmer	Jones (Covington)	Phillips	Steagall
Glass	Jones (Monroe)	Pierce	Sullivan
Goldthwaite	Lee	Powell	Taylor
Goodwyn	Locke	Pruitt	Thomas
Gordon	Long (Lauderdale)	Ramey	Torbert
Grant	Long (Perry)	Rast	Turner
Gross	McClendon (Chambers)	Ray	Turnham
Grouby	McCorquodale	Reynolds (Chambers)	Vickers
Guthrie			

—101

And the bill:

H. 1320. To alter, rearrange, and extend the boundary lines and corporate limits of the City of Linden, in Marengo County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Dickson	Ingram	Powell
Adams	Dodd	Jenkins	Pruitt
Albea	Dunn	Johnson (J. T. Tom)	Ramey
Avery	Edwards	Johnston (Leonard)	Rast
Bailey	Engel	Jones (Covington)	Ray
Barnett	Faulk	Jones (Monroe)	Reynolds (Chambers)
Bassett	Ferguson	Lee	Reynolds (Madison)
Bevill	Franklin	Locke	Roberts
Bishop	Gilchrist	Long (Lauderdale)	Rozelle
Boyd	Gilmer	Long (Perry)	Salter
Brannan	Glass	McClendon (Chambers)	Self
Branyon	Goldthwaite	McCorquodale	Sessions
Brewer	Goodwyn	McLendon (Bullock)	Shumate
Britton	Gordon	Martin	Smith (Russell)
Broadfoot	Grant	Meade	Smith (St. Clair)
Brooks	Gross	Merrill	Solomon
Cabiness	Grouby	Morrow	Speaks
Callahan	Guthrie	Murphy	Steagall
Camp	Hain	Nettles	Sullivan
Casey	Hanby	Nichols	Taylor
Cates	Hankins	Oakley	Thomas
Chambers	Harris	Oden	Torbert
Cook	Harvey	Owens	Turner
Copeland	Hawkins	Phillips	Turnham
Cornett	Hearn	Pierce	Vickers
Daniel			

—101

And the bill:

H. 1325. To establish the maximum rate which newspapers in all counties having populations of not less than 57,000 nor more than 61,000, according to the 1960 or any subsequent federal decennial census, may charge and which an individual, officer, municipality, county, the State, a governmental subdivision, or any other legal entity may pay for the publication of legal notices, advertisements, publications, statements, or other matter required by law or rules or orders of courts to be published in newspapers.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Dickson	Ingram	Powell
Adams	Dodd	Jenkins	Pruitt
Albea	Dunn	Johnson (J. T. Tom)	Ramey
Avery	Edwards	Johnston (Leonard)	Rast
Bailey	Engel	Jones (Covington)	Ray
Barnett	Faulk	Jones (Monroe)	Reynolds (Chambers)
Bassett	Ferguson	Lee	Reynolds (Madison)
Bevill	Franklin	Locke	Roberts
Bishop	Gilchrist	Long (Lauderdale)	Rozelle
Boyd	Gilmer	Long (Perry)	Salter
Brannan	Glass	McClendon (Chambers)	Self
Branyon	Goldthwaite	McCorquodale	Sessions
Brewer	Goodwyn	McLendon (Bullock)	Shumate
Britton	Gordon	Martin	Smith (Russell)
Broadfoot	Grant	Meade	Smith (St. Clair)
Brooks	Gross	Merrill	Solomon
Cabiness	Grouby	Morrow	Speaks
Callahan	Guthrie	Murphy	Steagall
Camp	Hain	Nettles	Sullivan
Casey	Hanby	Nichols	Taylor
Cates	Hankins	Oakley	Thomas
Chambers	Harris	Oden	Torbert
Cook	Harvey	Owens	Turner
Copeland	Hawkins	Phillips	Turnham
Cornett	Hearn	Pierce	Vickers
Daniel			

—101

And the bill:

H. 1326. Relating to Morgan County; authorizing the governing body of the county to furnish fuel and necessary equipment for the preparation and storing of food for prisoners held in the Morgan County Jail by the Sheriff.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Dickson	Ingram	Powell
Adams	Dodd	Jenkins	Pruitt
Albea	Dunn	Johnson (J. T. Tom)	Ramey
Avery	Edwards	Johnston (Leonard)	Rast
Bailey	Engel	Jones (Covington)	Ray
Barnett	Faulk	Jones (Monroe)	Reynolds (Chambers)
Bassett	Ferguson	Lee	Reynolds (Madison)
Bevill	Franklin	Locke	Roberts
Bishop	Gilchrist	Long (Lauderdale)	Rozelle
Boyd	Gilmer	Long (Perry)	Salter
Brannan	Glass	McClendon (Chambers)	Self
Branyon	Goldthwaite	McCorquodale	Sessions
Brewer	Goodwyn	McLendon (Bullock)	Shumate
Britton	Gordon	Martin	Smith (Russell)
Broadfoot	Grant	Meade	Smith (St. Clair)
Brooks	Gross	Merrill	Solomon
Cabiness	Grouby	Morrow	Speaks
Callahan	Guthrie	Murphy	Steagall
Camp	Hain	Nettles	Sullivan
Casey	Hanby	Nichols	Taylor
Cates	Hankins	Oakley	Thomas
Chambers	Harris	Oden	Torbert
Cook	Harvey	Owens	Turner
Copeland	Hawkins	Phillips	Turnham
Cornett	Hearn	Pierce	Vickers
Daniel			

—101

And the bill:

H. 1327. To provide for the feeding and care of certain county prisoners of Morgan County employed or used on the construction, repair, and maintenance of county roads and bridges, or other such road work; to provide hospital and medical care and treatment for any of such prisoners who are injured or become ill while engaged in such road work; to prescribe the powers, duties, and authority of the sheriff and the Board of Revenue and Control or like governing body of Morgan County, Alabama, in carrying out the provisions of this Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Branyon	Cook	Franklin
Adams	Brewer	Copeland	Gilchrist
Albea	Britton	Cornett	Gilmer
Avery	Broadfoot	Daniel	Glass
Bailey	Brooks	Dickson	Goldthwaite
Barnett	Cabiness	Dodd	Goodwyn
Bassett	Callahan	Dunn	Gordon
Bevill	Camp	Edwards	Grant
Bishop	Casey	Engel	Gross
Boyd	Cates	Faulk	Grouby
Brannan	Chambers	Ferguson	Guthrie

Hain	Long (Lauderdale)	Owens	Sessions
Hanby	Long (Perry)	Phillips	Shumate
Hankins	McClendon (Chambers)	Pierce	Smith (Russell)
Harris	McCorquodale	Powell	Smith (St. Clair)
Harvey	McLendon (Bullock)	Pruitt	Solomon
Hawkins	Martin	Ramey	Speaks
Hearn	Meade	Rast	Steagall
Ingram	Merrill	Ray	Sullivan
Jenkins	Morrow	Reynolds (Chambers)	Taylor
Johnson (J. T. Tom)	Murphy	Reynolds (Madison)	Thomas
Johnston (Leonard)	Nettles	Roberts	Torbert
Jones (Covington)	Nichols	Rozelle	Turner
Jones (Monroe)	Oakley	Salter	Turnham
Lee	Oden	Self	Vickers
Locke			

—101

And the bill:

H. 1328. To amend Section 2 of Act No. 280, H. 739, approved October 9, 1959, entitled "An Act to authorize and provide for the establishment, maintenance, operation and financing of a public law library in Morgan County, Alabama" (Acts of Alabama 1959, vol. 1, p. 842).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Dickson	Ingram	Powell
Adams	Dodd	Jenkins	Pruitt
Albea	Dunn	Johnson (J. T. Tom)	Ramey
Avery	Edwards	Johnston (Leonard)	Rast
Bailey	Engel	Jones (Covington)	Ray
Barnett	Faulk	Jones (Monroe)	Reynolds (Chambers)
Bassett	Ferguson	Lee	Reynolds (Madison)
Bevill	Franklin	Locke	Roberts
Bishop	Gilchrist	Long (Lauderdale)	Rozelle
Boyd	Gilmer	Long (Perry)	Salter
Brannan	Glass	McClendon (Chambers)	Self
Branyon	Goldthwaite	McCorquodale	Sessions
Brewer	Goodwyn	McLendon (Bullock)	Shumate
Britton	Gordon	Martin	Smith (Russell)
Broadfoot	Grant	Meade	Smith (St. Clair)
Brooks	Cross	Merrill	Solomon
Cabiness	Grouby	Morrow	Speaks
Callahan	Guthrie	Murphy	Steagall
Camp	Hain	Nettles	Sullivan
Casey	Hanby	Nichols	Taylor
Cates	Hankins	Oakley	Thomas
Chambers	Harris	Oden	Torbert
Cook	Harvey	Owens	Turner
Copeland	Hawkins	Phillips	Turnham
Cornett	Hearn	Pierce	Vickers
Daniel			

—101

And the bill:

H. 1329. For the relief of Mrs. Ruby McNutt as compensation for the death of her husband, Elbert McNutt, deceased, of Morgan County, Alabama, as the result of injury received while he was in the line of and performing his duties as road employee of Morgan County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Dickson	Ingram	Powell
Adams	Dodd	Jenkins	Pruitt
Albea	Dunn	Johnson (J. T. Tom)	Ramey
Avery	Edwards	Johnston (Leonard)	Rast
Bailey	Engel	Jones (Covington)	Ray
Barnett	Faulk	Jones (Monroe)	Reynolds (Chambers)
Bassett	Ferguson	Lee	Reynolds (Madison)
Bevill	Franklin	Locke	Roberts
Bishop	Gilchrist	Long (Lauderdale)	Rozelle
Boyd	Gilmer	Long (Perry)	Salter
Brannan	Glass	McClendon (Chambers)	Self
Branyon	Goldthwaite	McCorquodale	Sessions
Brewer	Goodwyn	McLendon (Bullock)	Shumate
Britton	Gordon	Martin	Smith (Russell)
Broadfoot	Grant	Meade	Smith (St. Clair)
Brooks	Gross	Merrill	Solomon
Cabiness	Grouby	Morrow	Speaks
Callahan	Guthrie	Murphy	Steagall
Camp	Hain	Nettles	Sullivan
Casey	Hanby	Nichols	Taylor
Cates	Hankins	Oakley	Thomas
Chambers	Harris	Oden	Torbert
Cook	Harvey	Owens	Turner
Copeland	Hawkins	Phillips	Turnham
Cornett	Hearn	Pierce	Vickers
Daniel			

—101

And the bill:

H. 1330. To abolish the fine and forfeiture fund in the county treasury of Morgan County; to provide for the payment of all fines and forfeitures collected into the general fund of said county; to provide for the payment of certain claims from the general fund of said county in lieu of the fine and forfeiture fund.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Avery	Bassett	Boyd
Adams	Bailey	Bevill	Brannan
Albea	Barnett	Bishop	Branyon

Brewer	Gilmer	Lee	Rast
Britton	Glass	Locke	Ray
Broadfoot	Goldthwaite	Long (Lauderdale)	Reynolds (Chambers)
Brooks	Goodwyn	Long (Perry)	Reynolds (Madison)
Cabiness	Gordon	McClendon (Chambers)	Roberts
Callahan	Grant	McCorquodale	Rozelle
Camp	Gross	McLendon (Bullock)	Salter
Casey	Grouby	Martin	Self
Cates	Guthrie	Meade	Sessions
Chambers	Hain	Merrill	Shumate
Cook	Hanby	Morrow	Smith (Russell)
Copeland	Hankins	Murphy	Smith (St. Clair)
Cornett	Harris	Nettles	Solomon
Daniel	Harvey	Nichols	Speaks
Dickson	Hawkins	Oakley	Steagall
Dodd	Hearn	Oden	Sullivan
Dunn	Ingram	Owens	Taylor
Edwards	Jenkins	Phillips	Thomas
Engel	Johnson (J. T. Tom)	Pierce	Torbert
Faulk	Johnston (Leonard)	Powell	Turner
Ferguson	Jones (Covington)	Pruitt	Turnham
Franklin	Jones (Monroe)	Ramey	Vickers
Gilchrist			

—101

And the bill:

H. 1331. For the relief of W. O. Dixon; authorizing the Board of Revenue and Control or like governing body of Morgan County, Alabama, to make an appropriation out of the General Fund of the county treasury to compensate W. O. Dixon for certain damages.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Cates	Grant	Long (Perry)
Adams	Chambers	Gross	McClendon (Chambers)
Albea	Cook	Grouby	McCorquodale
Avery	Copeland	Guthrie	McLendon (Bullock)
Bailey	Cornett	Hain	Martin
Barnett	Daniel	Hanby	Meade
Bassett	Dickson	Hankins	Merrill
Bevill	Dodd	Harris	Morrow
Bishop	Dunn	Harvey	Murphy
Boyd	Edwards	Hawkins	Nettles
Brannan	Engel	Hearn	Nichols
Branyon	Faulk	Ingram	Oakley
Brewer	Ferguson	Jenkins	Oden
Britton	Franklin	Johnson (J. T. Tom)	Owens
Broadfoot	Gilchrist	Johnston (Leonard)	Phillips
Brooks	Gilmer	Jones (Covington)	Pierce
Cabiness	Glass	Jones (Monroe)	Powell
Callahan	Goldthwaite	Lee	Pruitt
Camp	Goodwyn	Locke	Ramey
Casey	Gordon	Long (Lauderdale)	Rast

Ray	Self	Solomon	Thomas
Reynolds (Chambers)	Sessions	Speaks	Torbert
Reynolds (Madison)	Shumate	Steagall	Turner
Roberts	Smith (Russell)	Sullivan	Turnham
Rozelle	Smith (St. Clair)	Taylor	Vickers
Salter			

—101

And the bill:

H. 1335. To propose a constitutional amendment relative to levying additional taxes in Lamar County for public school purposes.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Dickson	Ingram	Powell
Adams	Dodd	Jenkins	Pruitt
Albea	Dunn	Johnson (J. T. Tom)	Ramey
Avery	Edwards	Johnston (Leonard)	Rast
Bailey	Engel	Jones (Covington)	Ray
Barnett	Faulk	Jones (Monroe)	Reynolds (Chambers)
Bassett	Ferguson	Lee	Reynolds (Madison)
Bevill	Franklin	Locke	Roberts
Bishop	Gilchrist	Long (Lauderdale)	Rozelle
Boyd	Gilmer	Long (Perry)	Salter
Brannan	Glass	McClendon (Chambers)	Self
Branyon	Goldthwaite	McCorquodale	Sessions
Brewer	Goodwyn	McLendon (Bullock)	Shumate
Britton	Gordon	Martin	Smith (Russell)
Broadfoot	Grant	Meade	Smith (St. Clair)
Brooks	Gross	Merrill	Solomon
Cabiness	Grouby	Morrow	Speaks
Callahan	Guthrie	Murphy	Steagall
Camp	Hain	Nettles	Sullivan
Casey	Hanby	Nichols	Taylor
Cates	Hankins	Oakiey	Thomas
Chambers	Harris	Oden	Torbert
Cook	Harvey	Owens	Turner
Copeland	Hawkins	Phillips	Turnham
Cornett	Hearn	Pierce	Vickers
Daniel			

—101

H. 1336 INDEFINITELY POSTPONED

On motion of Mr. Smith (St. Clair) the bill, H. 1336, was indefinitely postponed.

And the bill:

S. 553. Relating to consolidation of certain schools in counties having populations of not less than 24,800 nor more than 25,400; providing for and requiring referendums on such questions.

Was read a third time at length and passed.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Dickson	Ingram	Powell
Adams	Dodd	Jenkins	Pruitt
Albea	Dunn	Johnson (J. T. Tom)	Ramey
Avery	Edwards	Johnston (Leonard)	Rast
Bailey	Engel	Jones (Covington)	Ray
Barnett	Faulk	Jones (Monroe)	Reynolds (Chambers)
Bassett	Ferguson	Lee	Reynolds (Madison)
Bevill	Franklin	Locke	Roberts
Bishop	Gilchrist	Long (Lauderdale)	Rozelle
Boyd	Gilmer	Long (Perry)	Salter
Brannan	Glass	McClendon (Chambers)	Self
Branyon	Goldthwaite	McCorquodale	Sessions
Brewer	Goodwyn	McLendon (Bullock)	Shumate
Britton	Gordon	Martin	Smith (Russell)
Broadfoot	Grant	Meade	Smith (St. Clair)
Brooks	Gross	Merrill	Solomon
Cabiness	Grouby	Morrow	Speaks
Callahan	Guthrie	Murphy	Steagall
Camp	Hain	Nettles	Sullivan
Casey	Hanby	Nichols	Taylor
Cates	Hankins	Oakley	Thomas
Chambers	Harris	Oden	Torbert
Cook	Harvey	Owens	Turner
Copeland	Hawkins	Phillips	Turnham
Cornett	Hearn	Pierce	Vickers
Daniel			

—101

And the bill:

H. 1338. To provide for the appointment of bailiffs for the circuit courts of all counties having populations of not less than 96,000 nor more than 116,000, and regulate their compensation.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Britton	Dickson	Gordon
Adams	Broadfoot	Dodd	Grant
Albea	Brooks	Dunn	Gross
Avery	Cabiness	Edwards	Grouby
Bailey	Callahan	Engel	Guthrie
Barnett	Camp	Faulk	Hain
Bassett	Casey	Ferguson	Hanby
Bevill	Cates	Franklin	Hankins
Bishop	Chambers	Gilchrist	Harris
Boyd	Cook	Gilmer	Harvey
Brannan	Copeland	Glass	Hawkins
Branyon	Cornett	Goldthwaite	Hearn
Brewer	Daniel	Goodwyn	Ingram

Jenkins	Meade	Pruitt	Smith (Russell)
Johnson (J. T. Tom)	Merrill	Ramey	Smith (St. Clair)
Johnston (Leonard)	Morrow	Rast	Solomon
Jones (Covington)	Murphy	Ray	Speaks
Jones (Monroe)	Nettles	Reynolds (Chambers)	Steagall
Lee	Nichols	Reynolds (Madison)	Sullivan
Locke	Oakley	Roberts	Taylor
Long (Lauderdale)	Oden	Rozelle	Thomas
Long (Perry)	Owens	Salter	Torbert
McClendon (Chambers)	Phillips	Self	Turner
McCorquodale	Pierce	Sessions	Turnham
McLendon (Bullock)	Powell	Shumate	Vickers
Martin			

—101

And the bill:

H. 1339. To alter and re-arrange the boundaries and corporate limits of the City of Athens, Limestone County, so as to annex certain territory.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Dickson	Ingram	Powell
Adams	Dodd	Jenkins	Pruitt
Albea	Dunn	Johnson (J. T. Tom)	Ramey
Avery	Edwards	Johnston (Leonard)	Rast
Bailey	Engel	Jones (Covington)	Ray
Barnett	Faulk	Jones (Monroe)	Reynolds (Chambers)
Bassett	Ferguson	Lee	Reynolds (Madison)
Bevill	Franklin	Locke	Roberts
Bishop	Gilchrist	Long (Lauderdale)	Rozelle
Boyd	Gilmer	Long (Perry)	Salter
Brannan	Glass	McClendon (Chambers)	Self
Branyon	Goldthwaite	McCorquodale	Sessions
Brewer	Goodwyn	McLendon (Bullock)	Shumate
Britton	Gordon	Martin	Smith (Russell)
Broadfoot	Grant	Meade	Smith (St. Clair)
Brooks	Gross	Merrill	Solomon
Cabiness	Grouby	Morrow	Speaks
Callahan	Guthrie	Murphy	Steagall
Camp	Hain	Nettles	Sullivan
Casey	Hanby	Nichols	Taylor
Cates	Hankins	Oakley	Thomas
Chambers	Harris	Oden	Torbert
Cook	Harvey	Owens	Turner
Copeland	Hawkins	Phillips	Turnham
Cornett	Hearn	Pierce	Vickers
Daniel			

—101

And the bill:

H. 1340. Relating to Crenshaw County; levying a license tax on persons and others engaging in selling tangible personal property at retail and on persons and others conducting places of amusement in said county,

the said tax to be measured by the gross receipts or gross proceeds of such businesses; levying an excise tax on the storage, use or other consumption in said county of tangible personal property purchased for use, storage or other consumption in said county; specifying sales and transactions that are exempt from the measurement of the said license tax; specifying property the use, storage or other consumption of which is exempt from the said excise tax; providing for payment of said taxes, making reports and maintaining records with respect thereto, the collection of the said taxes, and the enforcement of the provisions of this act; making applicable to the taxes herein levied, and adopting by reference, certain provisions of Act No. 100 adopted at the 1959 Second Special Session of the Legislature of Alabama and of Article 11 of Chapter 20 of Title 51 of the Code of Alabama, as amended; providing that the Commissioner of Revenue and the State Department of Revenue shall have all powers and duties respecting the taxes herein levied and the collection thereof that they have under said Act No. 100 and said Article 11, as amended as aforesaid; providing for collection of said excise tax by sellers registered under Section 790 of Title 51 of the Code of Alabama of 1940, as amended; providing that the said license tax shall be added to the sales price or admission fee and passed on to the purchaser or person paying the said admission fee; providing for a discount to persons subject to the said license tax and to such registered sellers; providing for a charge by the State Department of Revenue for collecting the taxes herein levied; and providing for the use of the revenues from said taxes.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Dickson	Ingram	Powell
Adams	Dodd	Jenkins	Pruitt
Albea	Dunn	Johnson (J. T. Tom)	Ramey
Avery	Edwards	Johnston (Leonard)	Rast
Bailey	Engel	Jones (Covington)	Ray
Barnett	Faulk	Jones (Monroe)	Reynolds (Chambers)
Bassett	Ferguson	Lee	Reynolds (Madison)
Bevill	Franklin	Locke	Roberts
Bishop	Gilchrist	Long (Lauderdale)	Rozelle
Boyd	Gilmer	Long (Perry)	Salter
Brannan	Glass	McClendon (Chambers)	Self
Branyon	Goldthwaite	McCorquodale	Sessions
Brewer	Goodwyn	McLendon (Bullock)	Shumate
Britton	Gordon	Martin	Smith (Russell)
Broadfoot	Grant	Meade	Smith (St. Clair)
Brooks	Gross	Merrill	Solomon
Cabiness	Grouby	Morrow	Speaks
Callahan	Guthrie	Murphy	Steagall
Camp	Hain	Nettles	Sullivan
Casey	Hanby	Nichols	Taylor
Cates	Hankins	Oakley	Thomas
Chambers	Harris	Oden	Torbert
Cook	Harvey	Owens	Turner
Copeland	Hawkins	Phillips	Turnham
Cornett	Hearn	Pierce	Vickers
Daniel			

And the bill:

H. 1342. Proposing an amendment to the Constitution of Alabama, relative to the levying of additional taxes for school purposes within Montgomery County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Dickson	Ingram	Powell
Adams	Dodd	Jenkins	Pruitt
Albea	Dunn	Johnson (J. T. Tom)	Ramey
Avery	Edwards	Johnston (Leonard)	Rast
Bailey	Engel	Jones (Covington)	Ray
Barnett	Faulk	Jones (Monroe)	Reynolds (Chambers)
Bassett	Ferguson	Lee	Reynolds (Madison)
Bevill	Franklin	Locke	Roberts
Bishop	Gilchrist	Long (Lauderdale)	Rozelle
Boyd	Gilmer	Long (Perry)	Salter
Brannan	Glass	McClendon (Chambers)	Self
Branyon	Goldthwaite	McCorquodale	Sessions
Brewer	Goodwyn	McLendon (Bullock)	Shumate
Britton	Gordon	Martin	Smith (Russell)
Broadfoot	Grant	Meade	Smith (St. Clair)
Brooks	Gross	Merrill	Solomon
Cabiness	Grouby	Morrow	Speaks
Callahan	Guthrie	Murphy	Steagall
Camp	Hain	Nettles	Sullivan
Casey	Hanby	Nichols	Taylor
Cates	Hankins	Oakley	Thomas
Chambers	Harris	Oden	Torbert
Cook	Harvey	Owens	Turner
Copeland	Hawkins	Phillips	Turnham
Cornett	Hearn	Pierce	Vickers
Daniel			

—101

And the bill:

H. 1343. To further amend Section 402 (17) Title 37, of the Code of Alabama 1940, which was last amended by Act No. 622 of the General Acts of Alabama 1957, relating to the Board of Directors of municipal corporations in cities with a population of between 6,500 and 8,500 people, according to the latest Federal Census, for the purpose of owning, operating and financing water, sewer, gas and electric systems.

Was taken up.

Mr. Hearn offered the following substitute for the bill, H. 1343:

A BILL
TO BE ENTITLED
AN ACT

Relating to the compensation of members of boards of directors of certain municipal corporations in cities having populations of not less

than 6,500 nor more than 8,500 according to the most recent federal decennial census; amending further Section 402 (17) of Title 37, Code of Alabama 1940.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 402 (17) of Title 37, Code of Alabama, 1940, is hereby amended to read as follows:

"Section 402 (17). Each corporation formed or the certificate of incorporation of which is amended under this act shall have a board of directors which shall constitute the governing body of the corporation, which board shall consist of three members. No fee shall be paid to any director for services rendered with respect to a sanitary sewer system. In any instance when the system or systems owned and operated by the corporation are any one or more of a water system, a gas system, and an electric system, the chairman of the board of directors may, at the discretion of the board of directors, be paid a director's fee in an amount not exceeding \$15.00 each month for one such system and \$10.00 each month for each additional system, and each member of the board of directors other than the chairman may be paid a director's fee in an amount not exceeding \$10.00 each month for each such system; provided, that where the municipality with respect to which the corporation was primarily organized has less than 5,000 inhabitants according to the last or any subsequent official census, the maximum total amount of director's fees which may be paid to the chairman of its board of directors shall not exceed \$25.00 during any month and the maximum total amount of director's fees which may be paid to any other member of the board of directors shall not exceed \$20.00 during any month. In all cities having populations of not less than 6,500 nor more than 8,500 according to the most recent federal decennial census, the members of the board of directors, including the chairman, may each be paid a director's fee in an amount not exceeding \$25.00 each month. All members of the board of directors of any corporation organized under the provisions of this act shall be reimbursed for actual expenses incurred in and about the performance of their duties hereunder. Any officer of the municipality shall be eligible for appointment and may serve as a member of the board of directors for the term for which he is appointed or during his tenure as a municipal officer, whichever expires first, but shall not receive a fee for his services; provided, however, that at no time shall the board consist of more than two officers of the municipality. The directors of the corporation shall be elected by the governing body of the municipality, and they shall be so elected that they shall hold office for staggered terms. The first term of office of one director shall be two years, of another director shall be four years, and of a third director shall be six years, as shall be designated at the time of their election, and thereafter the term of office of each director shall be six years; provided, however, that the governing body of any municipality which has heretofore or hereafter authorized the creation of a corporation as provided herein may, at its option, increase the board of directors from three to five members to serve according to all the conditions and terms set forth herein. In the event the governing body elects to increase such board of directors from three to five members, one member added to the board shall be appointed for a term of four years and the remaining member for a term of six years and thereafter the term of each such director shall be six years; provided that at no time shall such board consist of more than three officers of the municipality; provided, further, that any officer of the municipality appointed to serve as a member of the board of directors shall serve for the term for which he is appointed or during his tenure as a municipal officer, whichever expires first."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Dickson	Ingram	Powell
Adams	Dodd	Jenkins	Pruitt
Albea	Dunn	Johnson (J. T. Tom)	Ramey
Avery	Edwards	Johnston (Leonard)	Rast
Bailey	Engel	Jones (Covington)	Ray
Barnett	Faulk	Jones (Monroe)	Reynolds (Chambers)
Bassett	Ferguson	Lee	Reynolds (Madison)
Bevill	Franklin	Locke	Roberts
Bishop	Gilchrist	Long (Lauderdale)	Rozelle
Boyd	Gilmer	Long (Perry)	Salter
Brannan	Glass	McClendon (Chambers)	Self
Branyon	Goldthwaite	McCorquodale	Sessions
Brewer	Goodwyn	McLendon (Buttack)	Shumate
Britton	Gordon	Martin	Smith (Russell)
Broadfoot	Grant	Meade	Smith (St. Clair)
Brooks	Gross	Merrill	Solomon
Cabiness	Grouby	Morrow	Speaks
Callahan	Guthrie	Murphy	Steagall
Camp	Hain	Nettles	Sullivan
Casey	Hanby	Nichols	Taylor
Cates	Hankins	Oakley	Thomas
Chambers	Harris	Oden	Torbert
Cook	Harvey	Owens	Turner
Copeland	Hawkins	Phillips	Turnham
Cornett	Hearn	Pierce	Vickers
Daniel			

—101

And said bill, H. 1343, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Brooks	Engel	Hanby
Adams	Cabiness	Faulk	Hankins
Albea	Callahan	Ferguson	Harris
Avery	Camp	Franklin	Harvey
Bailey	Casey	Gilchrist	Hawkins
Barnett	Cates	Gilmer	Hearn
Bassett	Chambers	Glass	Ingram
Bevill	Cook	Goldthwaite	Jenkins
Bishop	Copeland	Goodwyn	Johnson (J. T. Tom)
Boyd	Cornett	Gordon	Johnston (Leonard)
Brannan	Daniel	Grant	Jones (Covington)
Branyon	Dickson	Gross	Jones (Monroe)
Brewer	Dodd	Grouby	Lee
Britton	Dunn	Guthrie	Locke
Broadfoot	Edwards	Hain	Long (Lauderdale)

Long (Perry)	Oakley	Reynolds (Chambers)	Solomon
McClendon (Chambers)	Oden	Reynolds (Madison)	Speaks
McCorquodale	Owens	Roberts	Steagall
McLendon (Bullock)	Phillips	Rozelle	Sullivan
Martin	Pierce	Salter	Taylor
Meade	Powell	Self	Thomas
Merrill	Pruitt	Sessions	Torbert
Morrow	Ramey	Shumate	Turner
Murphy	Rast	Smith (Russell)	Turnham
Nettles	Ray	Smith (St. Clair)	Vickers
Nichols			

—101

And the bill:

H. 1255. To alter and re-arrange the boundary lines of the City of Mountain Brook, Alabama so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Jefferson County, Alabama, contiguous to said city.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Dickson	Ingram	Powell
Adams	Dodd	Jenkins	Pruitt
Albea	Dunn	Johnson (J. T. Tom)	Ramey
Avery	Edwards	Johnston (Leonard)	Rast
Bailey	Engel	Jones (Covington)	Ray
Barnett	Faulk	Jones (Monroe)	Reynolds (Chambers)
Bassett	Ferguson	Lee	Reynolds (Madison)
Bevill	Franklin	Locke	Roberts
Bishop	Gilchrist	Long (Lauderdale)	Rozelle
Boyd	Gilmer	Long (Perry)	Salter
Brannan	Glass	McClendon (Chambers)	Self
Branyon	Goldthwaite	McCorquodale	Sessions
Brewer	Goodwyn	McLendon (Bullock)	Shumate
Britton	Gordon	Martin	Smith (Russell)
Broadfoot	Grant	Meade	Smith (St. Clair)
Brooks	Gross	Merrill	Solomon
Cabiness	Grouby	Morrow	Speaks
Callahan	Guthrie	Murphy	Steagall
Camp	Hain	Nettles	Sullivan
Casey	Hanby	Nichols	Taylor
Cates	Hankins	Oakley	Thomas
Chambers	Harris	Oden	Torbert
Cook	Harvey	Owens	Turner
Copeland	Hawkins	Phillips	Turnham
Cornett	Hearn	Pierce	Vickers
Daniel			

—101

And the bill:

H. 1256. To alter or rearrange the boundary lines of the City of Tarrant City, Alabama so as to include within the corporate limits of said City territory not already included therein.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Dickson	Ingram	Powell
Adams	Dodd	Jenkins	Pruitt
Albea	Dunn	Johnson (J. T. Tom)	Ramey
Avery	Edwards	Johnston (Leonard)	Rast
Bailey	Engel	Jones (Covington)	Ray
Barnett	Faulk	Jones (Monroe)	Reynolds (Chambers)
Bassett	Ferguson	Lee	Reynolds (Madison)
Bevill	Franklin	Locke	Roberts
Bishop	Gilchrist	Long (Lauderdale)	Rozelle
Boyd	Gilmer	Long (Perry)	Salter
Brannan	Glass	McClendon (Chambers)	Self
Branyon	Goldthwaite	McCorquodale	Sessions
Brewer	Goodwyn	McLendon (Bullock)	Shumate
Britton	Gordon	Martin	Smith (Russell)
Broadfoot	Grant	Meade	Smith (St. Clair)
Brooks	Gross	Merrill	Solomon
Cabiness	Grouby	Morrow	Speaks
Callahan	Guthrie	Murphy	Steagall
Camp	Hain	Nettles	Sullivan
Casey	Hanby	Nichols	Taylor
Cates	Hankins	Oakley	Thomas
Chambers	Harris	Oden	Torbert
Cook	Harvey	Owens	Turner
Copeland	Hawkins	Phillips	Turnham
Cornett	Hearn	Pierce	Vickers
Daniel			

—101

And the bill:

H. 1257. To provide for and submit to the qualified electors of the State of Alabama an amendment to the Constitution of said State providing that the City of Mountain Brook, Jefferson County, shall have, in addition to the power to levy and collect ad valorem tax each year at the rate authorized immediately prior to the adoption of this amendment, the further power to levy and collect each year an additional tax of one-fourth of one per centum based upon the value of the property therein as fixed for state taxation, such additional tax to be levied only when authorized by the qualified electors of said City at an election called for such purpose, the adoption of such amendment not to affect, limit, modify, abridge, or impair the power of such City to levy and collect any special school taxes now vested or hereafter conferred upon it under the Constitution, or any amendment thereto.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Albea	Bailey	Bassett
Adams	Avery	Barnett	Bevill

Bishop	Ferguson	Jones (Covington)	Ramey
Boyd	Franklin	Jones (Monroe)	Rast
Brannan	Gilchrist	Lee	Ray
Branyon	Gilmer	Locke	Reynolds (Chambers)
Brewer	Glass	Long (Lauderdale)	Reynolds (Madison)
Britton	Goldthwaite	Long (Perry)	Roberts
Broadfoot	Goodwyn	McClendon (Chambers)	Rozelle
Brooks	Gordon	McCorquodale	Salter
Cabiness	Grant	McLendon (Bullock)	Self
Callahan	Gross	Martin	Sessions
Camp	Grouby	Meade	Shumate
Casey	Guthrie	Merrill	Smith (Russell)
Cates	Hain	Morrow	Smith (St. Clair)
Chambers	Hanby	Murphy	Solomon
Cook	Hankins	Nettles	Speaks
Copeland	Harris	Nichols	Steagall
Cornett	Harvey	Oakley	Sullivan
Daniel	Hawkins	Oden	Taylor
Dickson	Hearn	Owens	Thomas
Dodd	Ingram	Phillips	Torbert
Dunn	Jenkins	Pierce	Turner
Edwards	Johnson (J. T. Tom)	Powell	Turnham
Engel	Johnston (Leonard)	Pruitt	Vickers
Faulk			

—101

And the bill:

H. 1258. To apply in, and only in, counties having a population of 500,000 or more inhabitants, according to the last or any subsequent federal census, wherein the use of voting machines has been or shall be authorized; to provide for the time and manner of commencing contest in any district, municipal, county, state or federal election, whether a general, special or primary election, in any such county; to provide for the length of time the seal of each voting machine shall remain unbroken subsequent to its use in any election; to provide the date upon which this act shall become effective.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Brooks	Engel	Hanby
Adams	Cabiness	Faulk	Hankins
Albea	Callahan	Ferguson	Harris
Avery	Camp	Franklin	Harvey
Bailey	Casey	Gilchrist	Hawkins
Barnett	Cates	Gilmer	Hearn
Bassett	Chambers	Glass	Ingram
Bevill	Cook	Goldthwaite	Jenkins
Bishop	Copeland	Goodwyn	Johnson (J. T. Tom)
Boyd	Cornett	Gordon	Johnston (Leonard)
Brannan	Daniel	Grant	Jones (Covington)
Branyon	Dickson	Gross	Jones (Monroe)
Brewer	Dodd	Grouby	Lee
Britton	Dunn	Guthrie	Locke
Broadfoot	Edwards	Hain	Long (Lauderdale)

Long (Perry)	Oakley	Reynolds (Chambers)	Solomon
McClendon (Chambers)	Oden	Reynolds (Madison)	Speaks
McCorquodale	Owens	Roberts	Steagall
McLendon (Bullock)	Phillips	Rozelle	Sullivan
Martin	Pierce	Salter	Taylor
Meade	Powell	Self	Thomas
Merrill	Pruitt	Sessions	Torbert
Morrow	Ramey	Shumate	Turner
Murphy	Rast	Smith (Russell)	Turnham
Nettles	Ray	Smith (St. Clair)	Vickers
Nichols			

—101

And the bill:

H. 1259. To amend and extend the corporate limits of the city of Mountain Brook in Jefferson County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Dickson	Ingram	Powell
Adams	Dodd	Jenkins	Pruitt
Albea	Dunn	Johnson (J. T. Tom)	Ramey
Avery	Edwards	Johnston (Leonard)	Rast
Bailey	Engel	Jones (Covington)	Ray
Barnett	Faulk	Jones (Monroe)	Reynolds (Chambers)
Bassett	Ferguson	Lee	Reynolds (Madison)
Bevill	Franklin	Locke	Roberts
Bishop	Gilchrist	Long (Lauderdale)	Rozelle
Boyd	Gilmer	Long (Perry)	Salter
Brannan	Glass	McClendon (Chambers)	Self
Branyon	Goldthwaite	McCorquodale	Sessions
Brewer	Goodwyn	McLendon (Bullock)	Shumate
Britton	Gordon	Martin	Smith (Russell)
Broadfoot	Grant	Meade	Smith (St. Clair)
Brooks	Gross	Merrill	Solomon
Cabiness	Grouby	Morrow	Speaks
Callahan	Guthrie	Murphy	Steagall
Camp	Hain	Nettles	Sullivan
Casey	Hanby	Nichols	Taylor
Cates	Hankins	Oakley	Thomas
Chambers	Harris	Oden	Torbert
Cook	Harvey	Owens	Turner
Copeland	Hawkins	Phillips	Turnham
Cornett	Hearn	Pierce	Vickers
Daniel			

—101

And the bill:

H. 1260. To alter or rearrange the boundary lines of the Town of Fultondale, Alabama so as to include within the corporate limits of said Town territory not already included therein.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Dickson	Ingram	Powell
Adams	Dodd	Jenkins	Pruitt
Albea	Dunn	Johnson (J. T. Tom)	Ramey
Avery	Edwards	Johnston (Leonard)	Rast
Bailey	Engel	Jones (Covington)	Ray
Barnett	Faulk	Jones (Monroe)	Reynolds (Chambers)
Bassett	Ferguson	Lee	Reynolds (Madison)
Bevill	Franklin	Locke	Roberts
Bishop	Gilchrist	Long (Lauderdale)	Rozelle
Boyd	Gilmer	Long (Perry)	Salter
Brannan	Glass	McClendon (Chambers)	Self
Branyon	Coldthwaite	McCorquodale	Sessions
Brewer	Goodwyn	McLendon (Bullock)	Shumate
Britton	Gordon	Martin	Smith (Russell)
Broadfoot	Grant	Meade	Smith (St. Clair)
Brooks	Gross	Merrill	Solomon
Cabiness	Grouby	Morrow	Speaks
Callahan	Guthrie	Murphy	Steagall
Camp	Hain	Nettles	Sullivan
Casey	Hanby	Nichols	Taylor
Cates	Hankins	Oakley	Thomas
Chambers	Harris	Oden	Torbert
Cook	Harvey	Owens	Turner
Copeland	Hawkins	Phillips	Turnham
Cornett	Hearn	Pierce	Vickers
Daniel			

—101

And the bill:

H. 1316. For the relief of Richard R. Andrews and to authorize and direct the City of Birmingham, Alabama, to pay on behalf of the said Richard R. Andrews, an amount not to exceed One Thousand Two Hundred Fifty Dollars (\$1,250.00) for medical services, including hospital charges rendered to the said Richard R. Andrews for an operation necessitated by injuries received by Richard R. Andrews while acting within the line and scope of his employment as a police officer for the City of Birmingham.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Bishop	Cabiness	Cornett
Adams	Boyd	Callahan	Daniel
Albea	Brannan	Camp	Dickson
Avery	Branyon	Casey	Dodd
Bailey	Brewer	Cates	Dunn
Barnett	Britton	Chambers	Edwards
Bassett	Broadfoot	Cook	Engel
Bevill	Brooks	Copeland	Faulk

Ferguson	Hearn	Morrow	Rozelle
Franklin	Ingram	Murphy	Salter
Gilchrist	Jenkins	Nettles	Self
Gilmer	Johnson (J. T. Tom)	Nichols	Sessions
Glass	Johnston (Leonard)	Oakley	Shumate
Goldthwaite	Jones (Covington)	Oden	Smith (Russell)
Goodwyn	Jones (Monroe)	Owens	Smith (St. Clair)
Gordon	Lee	Phillips	Solomon
Grant	Locke	Pierce	Speaks
Gross	Long (Lauderdale)	Powell	Steagall
Grouby	Long (Perry)	Pruitt	Sullivan
Guthrie	McClendon (Chambers)	Ramey	Taylor
Hain	McCorquodale	Rast	Thomas
Hanby	McLendon (Bullock)	Ray	Torbert
Hankins	Martin	Reynolds (Chambers)	Turner
Harris	Meade	Reynolds (Madison)	Turnham
Harvey	Merrill	Roberts	Vickers
Hawkins			

—101

And the bill:

H. 1317. To fix the compensation of election officers in all general, special, municipal and primary elections held in counties which now have, or which may hereafter have, a population in excess of 500,000 according to the last or any subsequent Federal decennial census; to provide for election workers in elections held to extend the boundary lines of any city or town within such counties and to prescribe their duties; and to provide that this act shall be supplemental to Act No. 694 of Acts of the 1957 Regular Session.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Chambers	Grouby	McLendon (Bullock)
Adams	Cook	Guthrie	Martin
Albea	Copeland	Hain	Meade
Avery	Cornett	Hanby	Merrill
Bailey	Daniel	Hankins	Morrow
Barnett	Dickson	Harris	Murphy
Bassett	Dodd	Harvey	Nettles
Bevill	Dunn	Hawkins	Nichols
Bishop	Edwards	Hearn	Oakley
Boyd	Engel	Ingram	Oden
Brannan	Faulk	Jenkins	Owens
Branyon	Ferguson	Johnson (J. T. Tom)	Phillips
Brewer	Franklin	Johnston (Leonard)	Pierce
Britton	Gilchrist	Jones (Covington)	Powell
Broadfoot	Gilmer	Jones (Monroe)	Pruitt
Brooks	Glass	Lee	Ramey
Cabiness	Goldthwaite	Locke	Rast
Callahan	Goodwyn	Long (Lauderdale)	Ray
Camp	Gordon	Long (Perry)	Reynolds (Chambers)
Casey	Grant	McClendon (Chambers)	Reynolds (Madison)
Cates	Gross	McCorquodale	Roberts

Rozelle	Smith (Russell)	Steagall	Torbert
Salter	Smith (St. Clair)	Sullivan	Turner
Self	Solomon	Taylor	Turnham
Sessions	Speaks	Thomas	Vickers
Shumate			

—101

And the bill:

H. 1318. To provide for an appeal to the Circuit Court, or court of like jurisdiction, from any final judgment or decision of a Zoning Board of Adjustment established under Act Number 528 of the 1959 Regular Session of the Legislature of Alabama (Acts of Alabama 1959, page 1302), applicable to any city which may now or hereafter have a population of three hundred thousand inhabitants or more according to the last or any subsequent federal census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Dickson	Ingram	Powell
Adams	Dodd	Jenkins	Pruitt
Albea	Dunn	Johnson (J. T. Tom)	Ramey
Avery	Edwards	Johnston (Leonard)	Rast
Bailey	Engel	Jones (Covington)	Ray
Barnett	Faulk	Jones (Monroe)	Reynolds (Chambers)
Bassett	Ferguson	Lee	Reynolds (Madison)
Bevill	Franklin	Locke	Roberts
Bishop	Gilchrist	Long (Lauderdale)	Rozelle
Boyd	Gilmer	Long (Perry)	Salter
Brannan	Glass	McClendon (Chambers)	Self
Branyon	Goldthwaite	McCorquodale	Sessions
Brewer	Goodwyn	McLendon (Bullock)	Shumate
Britton	Gordon	Martin	Smith (Russell)
Broadfoot	Grant	Meade	Smith (St. Clair)
Brooks	Gross	Merrill	Solomon
Cabiness	Grouby	Morrow	Speaks
Callahan	Guthrie	Murphy	Steagall
Camp	Hain	Nettles	Sullivan
Casey	Hanby	Nichols	Taylor
Cates	Hankins	Oakley	Thomas
Chambers	Harris	Oden	Torbert
Cook	Harvey	Owens	Turner
Copeland	Hawkins	Phillips	Turnham
Cornett	Hearn	Pierce	Vickers
Daniel			

—101

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Callahan to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 1226, was adopted.

And the bill:

H. 1226. To authorize the incorporation as a public corporation of any district tuberculosis sanatorium established in this state pursuant to Act No. 287 enacted at the 1945 Regular Session of the Legislature of Alabama; to provide the procedure for such incorporation, for the consequences thereof and for the composition and election of the board of trustees for each such corporation; to grant broad powers to each such corporation, including the power to borrow money, to issue securities and to secure any such securities by mortgage and pledge of its properties and revenues; to specify certain details and characteristics of such securities; to exempt from taxation all property of each such corporation, all securities issued by each such corporation and the income therefrom and certain instruments executed by or to it; to provide that no such corporation be sued in action ex delicto; and to authorize any political subdivision or agency of the state to convey property to any such corporation without consideration and to appropriate funds thereto.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Daniel	Hearn	Powell
Adams	Dodd	Jenkins	Pruitt
Albea	Edwards	Johnson (J. T. Tom)	Ramey
Avery	Faulk	Johnston (Leonard)	Rast
Barnett	Ferguson	Locke	Reynolds (Chambers)
Bassett	Gilchrist	Long (Lauderdale)	Reynolds (Madison)
Bevill	Gilmer	Long (Perry)	Roberts
Bishop	Glass	McClendon (Chambers)	Rozelle
Boyd	Goldthwaite	McCorquodale	Salter
Brannan	Gordon	McLendon (Bullock)	Self
Branyon	Grant	Martin	Sessions
Brewer	Gross	Meade	Shumate
Britton	Grouby	Merrill	Smith (Russell)
Broadfoot	Guthrie	Murphy	Smith (St. Clair)
Brooks	Hain	Nettles	Speaks
Cabiness	Hanby	Nichols	Steagall
Callahan	Hankins	Oakley	Sullivan
Casey	Harris	Owens	Turner
Cates	Harvey	Phillips	Turnham
Cook	Hawkins	Pierce	Vickers
Cornett			

—81

BILLS ON THIRD READING RESUMED

H. 976. Fixing the compensation of the chairman of the board of revenue, court of county commissioners or other like county governing body in all counties having populations of not less than 57,000 nor more than 61,500 inhabitants according to the 1960 or any subsequent federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Copeland	Harvey	Powell
Adams	Cornett	Hawkins	Pruitt
Albea	Daniel	Hearn	Ramey
Avery	Dickson	Jenkins	Rast
Barnett	Dodd	Johnson (J. T. Tom)	Reynolds (Madison)
Bassett	Dunn	Johnston (Leonard)	Roberts
Bevill	Edwards	Locke	Rozelle
Bishop	Faulk	Long (Perry)	Salter
Boyd	Ferguson	McClendon (Chambers)	Self
Brannan	Gilchrist	McCorquodale	Sessions
Branyon	Gilmer	McLendon (Bullock)	Shumate
Brewer	Glass	Martin	Smith (Russell)
Britton	Gordon	Meade	Smith (St. Clair)
Broadfoot	Grant	Merrill	Speaks
Brooks	Gross	Murphy	Steagall
Cabiness	Grouby	Nettles	Sullivan
Callahan	Guthrie	Nichols	Taylor
Casey	Hain	Oakley	Turner
Cates	Hanby	Phillips	Turnham
Cook	Hankins	Pierce	Vickers

—80

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Callahan to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 1015, was adopted.

And the bill:

H. 1015. To exempt from the computation of the taxes levied by Section 2 (a) of the Act of the Legislature of Alabama approved August 18, 1959, the gross proceeds received from the sale or furnishing of food, soft drinks, tobacco products, stationery and all other similar and or related articles by the Hospital Canteens operated by Alabama State Hospitals at Bryce Hospital and Partlow State School for Mental Deficients at Tuscaloosa, Alabama and Searcy Hospital at Mt. Vernon, Alabama, for the benefit of the patients therein.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Brewer	Cornett	Gilmer
Adams	Britton	Daniel	Glass
Albea	Broadfoot	Dickson	Gordon
Bailey	Brooks	Dodd	Grant
Barnett	Cabiness	Dunn	Gross
Bevill	Callahan	Edwards	Grouby
Bishop	Casey	Faulk	Guthrie
Brannan	Cook	Ferguson	Hanby
Branyon	Copeland	Gilchrist	Hankins

Harris	McClendon (Chambers)	Phillips	Sessions
Harvey	McLendon (Bullock)	Powell	Shumate
Hawkins	Martin	Pruitt	Smith (Russell)
Hearn	Meade	Ramey	Smith (St. Clair)
Jenkins	Merrill	Rast	Solomon
Johnson (J. T. Tom)	Morrow	Ray	Speaks
Johnston (Leonard)	Murphy	Reynolds (Chambers)	Steagall
Locke	Nettles	Rozelle	Sullivan
Long (Lauderdale)	Nichols	Salter	Turner
Long (Perry)	Owens	Self	Vickers

—76

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Callahan to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 1225, was adopted.

And the bill:

H. 1225. To authorize and permit teachers, who have retired under the terms of the Teacher Retirement Act of Alabama, when they are physically and mentally able to do so, in the opinion of the employing authority, to perform duties as substitute teachers or part time teachers, and to earn not more than twelve hundred dollars per year, as such substitute or part time teacher, without affecting their status under the Retired Teacher's Act of Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Cornett	Hearn	Ramey
Adams	Daniel	Jenkins	Rast
Albea	Dickson	Johnson (J. T. Tom)	Ray
Avery	Dodd	Johnston (Leonard)	Reynolds (Chambers)
Bailey	Dunn	Locke	Reynolds (Madison)
Barnett	Edwards	Long (Perry)	Roberts
Bassett	Engel	McClendon (Chambers)	Rozelle
Bevill	Faulk	McCorquodale	Salter
Bishop	Ferguson	McLendon (Bullock)	Self
Boyd	Gilchrist	Martin	Sessions
Brannan	Gilmer	Meade	Shumate
Branyon	Glass	Merrill	Smith (Russell)
Brewer	Gordon	Morrow	Smith (St. Clair)
Britton	Grant	Murphy	Solomon
Broadfoot	Gross	Nettles	Speaks
Brooks	Grouby	Nichols	Steagall
Cabiness	Guthrie	Oden	Sullivan
Callahan	Hain	Owens	Taylor
Camp	Hanby	Phillips	Thomas
Casey	Hankins	Pierce	Torbert
Cates	Harris	Powell	Turner
Cook	Harvey	Pruitt	Vickers
Copeland	Hawkins		

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MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Bevill to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 498, was adopted.

And the bill:

H. 498. To designate a certain part of the state highway system as "The John Patterson White Way."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Copeland	Harvey	Pierce
Adams	Cornett	Hearn	Powell
Albea	Daniel	Jenkins	Pruitt
Avery	Dickson	Johnston (Leonard)	Ramey
Bailey	Dodd	Lee	Rast
Barnett	Dunn	Locke	Ray
Bassett	Edwards	Long (Perry)	Rozelle
Bevill	Faulk	McClendon (Chambers)	Salter
Bishop	Ferguson	McCorquodale	Self
Boyd	Gilchrist	McLendon (Bullock)	Sessions
Brannan	Gilmer	Martin	Shumate
Branyon	Glass	Meade	Smith (Russell)
Britton	Gordon	Merrill	Smith (St. Clair)
Broadfoot	Grant	Morrow	Solomon
Brooks	Gross	Murphy	Speaks
Cabiness	Grouby	Nettles	Steagall
Camp	Guthrie	Nichols	Sullivan
Casey	Hain	Oakley	Taylor
Cates	Hanby	Oden	Thomas
Chambers	Hankins	Owens	Turner
Cook	Harris	Phillips	

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RECESS

On motion of Mr. Grouby the House recessed until 1:30 o'clock this afternoon.

Yeas 65; Nays 19.

Yeas:

Mr. Speaker	Brewer	Edwards	Grouby
Albea	Britton	Engel	Guthrie
Barnett	Brooks	Faulk	Hain
Bassett	Cabiness	Ferguson	Hanby
Bevill	Cates	Gilchrist	Hankins
Bishop	Copeland	Gilmer	Hearn
Boyd	Daniel	Goldthwaite	Jenkins
Brannan	Dickson	Grant	Johnston (Leonard)
Branyon	Dunn	Gross	Lee

Long (Lauderdale)	Murphy	Powell	Shumate
Long (Perry)	Nettles	Pruitt	Smith (Russell)
McClendon (Chambers)	Nichols	Ramey	Smith (St. Clair)
McCorquodale	Oakley	Rast	Speaks
McLendon (Bullock)	Owens	Rozelle	Sullivan
Martin	Phillips	Self	Thomas
Meade	Pierce	Sessions	Turnham
Merrill			

—65

Nays:

Messrs.	Cook	Harvey	Salter
Avery	Dodd	Johnson (J. T. Tom)	Solomon
Broadfoot	Glass	Morrow	Steagall
Camp	Gordon	Oden	Taylor
Casey	Harris	Ray	Turner

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AFTERNOON SESSION

The hour of 1:30 o'clock P. M. having arrived, the House reconvened. The Speaker called the House to order.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 906. To propose an amendment to the Constitution of Alabama authorizing and providing for the issuance of not more than three million dollars in principal amount of general obligation bonds of the State of Alabama for building, construction and improvement purposes at the University of Alabama Research Institute at Huntsville.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 1161. To make an additional appropriation for payment of expenses of the Legislature.

J. E. SPEIGHT,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1161. To make an additional appropriation for payment of expenses of the Legislature.

Also:

H. 906. To propose an amendment to the Constitution of Alabama authorizing and providing for the issuance of not more than three million dollars in principal amount of general obligation bonds of the State of Alabama for building, construction and improvement purposes at the University of Alabama Research Institute at Huntsville.

And finds same correctly enrolled.

VIRGIS M. ASHWORTH,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

SPECIAL ORDER

The House proceeded to the consideration of the special order.

And the bill:

H. 39. (with substitute) (with amendment). To regulate the lending of money repayable in installments, whether secured or unsecured; to provide the maximum rate of interest and other charges on such transactions; to regulate such transactions; to prescribe penalties for violation of this Act; to define the phrase "installment loan" for the purposes of this Act; to provide for a short title therefor so that the same may be cited as the "Installment Loan Act"; to provide for the repeal of inconsistent laws heretofore enacted; to provide exemptions from the provisions of this Act; to provide when this Act shall take effect, and to provide that any section or provision of this Act being held unconstitutional shall not affect the validity of any other section or provision.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Business and Labor, said committee substitute being as follows:

A BILL TO BE ENTITLED AN ACT

To regulate the lending of money repayable in installments, whether secured or unsecured; to provide the maximum rate of interest and other charges on such transactions; to regulate such transactions; to prescribe

penalties for violation of this Act; to define the phrase "installment loan" for the purposes of this Act; to provide for a short title therefor so that the same may be cited as the "Installment Loan Act"; to provide for the repeal of inconsistent laws heretofore enacted; to provide exemptions from the provisions of this Act; to provide when this Act shall take effect, and to provide that any section or provision of this Act being held unconstitutional shall not affect the validity of any other section or provision.

Be It Enacted by the Legislature of Alabama:

Section 1 (a): It shall be lawful to make installment loans, whether secured or unsecured, and to charge as interest therefor not exceeding eight dollars per one hundred dollars per annum upon the total amount of the loan from the date thereof until the maturity date of the final installment. Such charge may be pre-computed and added to the principal at the time the loan is made.

(b) In lieu of the charge authorized hereinabove, a lender may pre-compute the following charges as interest and add them to the principal of the loan provided each installment fall due no more frequently than monthly and provided further that each installment be at least \$10.00, except the last installment, which may be any amount less than \$10.00:

(1) On loans of less than \$100.00, a charge of \$1.00 per installment:

(2) On installment loans of \$100.00 or more, a charge of \$1.25 per installment.

Provided, however, no lender shall induce or permit any person, or any husband and wife, jointly or severally, to become obligated directly or contingently, or both, under more than one contract of loan at the same time for the purpose of obtaining a higher charge than would otherwise be permitted by this Section 1 (b). And it shall be unlawful for any lender to evade, or attempt to evade, this section by inducing a customer to borrow from another lender in which he has a pecuniary interest or with whom he has an arrangement for exchange of customers.

Section 2. By agreement, the borrower may be required to pay or reimburse the lender for reasonable actual expenditures including attorney fees, incurred in securing or collecting, or in attempting to secure or collect, any such loan which is in default, whether by foreclosure or otherwise.

Section 3. By agreement, the borrower may be required to pay additional charges on such loan, but only if

(a) the total of all interest and charges exclusive of those authorized by Section 2 hereof does not exceed the maximum amount that could have been charged under Section 1 hereof for the full term of the loan originally contracted for; or, in the alternative,

(b) no charges other than those authorized by Sections 1 and 2 and this subsection 3(b) are made and the terms and conditions of this subsection 3(b) are strictly observed:

(1) when an installment is in default 10 days or more, a late charge not exceeding 5% of the amount of any payment or payments in default, or of fifty cents on each payment in default, whichever is greater. Such late charge may be made only once as to each installment in default.

(2) to prevent the expense of refinancing, and where the borrower requests it, the lender may extend the due date of any payment or payments,

but the rate charged during such extension may never exceed the rate authorized in Section 1 of this Act.

(3) the premium on any life insurance policy on the life of the borrower. Said insurance may not exceed the approximate term of said loan or the approximate amount of the loan or commitment to lend.

(4) the premium for risk, collision or hazard insurance (including so-called homeowner's policies and similar multi-line coverage) covering any collateral securing said loan for the term thereof as nearly as possible.

(5) the insurance authorized in Subsections (3) and (4) hereof must be written by insurance companies authorized to do business in Alabama. Premiums for said insurance may be deducted from the proceeds of the loan, and a commission may be received by the lender or its employees.

(6) an amount equal to the fees which may be charged by public officers for filing, recording and releasing, and taxes upon, the instruments evidencing the indebtedness or security therefor.

Section 4: Any lender who, or which, willfully violates this Act shall forfeit any interest agreed to be paid on the loan. In case a greater interest charge has been willfully taken or received, the borrower, or his legal representative, may recover back twice the amount of interest paid from the lender. In computing the interest which any borrower has paid, the rule of 78ths contained in Section 5 hereof shall be applied. Any lender who, or which, willfully violates this Act shall be guilty of a misdemeanor, and upon conviction thereof, shall be punishable by a fine of not more than \$1,000.00.

Section 5: If any installment loan is paid in full one month or more before the final installment date, the lender shall refund to the borrower that portion of the interest charge which shall be due the borrower as determined by schedules prepared under the rule of 78ths or the sum of the digits principle as follows: The amount of the refund shall be as great a proportion of the total interest charge originally contracted for as the sum of the periodic time balances of the contract scheduled to follow the date of prepayment bears to the sum of all the periodic time balances of the contract, both sums to be determined according to the payment schedule originally contracted for. The lender shall also refund any unearned premium that any insurance company may refund to the lender by reason of the prepayment of the particular loan. No refund of less than \$2.00 need be made. This section shall not apply to any installment loan on which the interest charge originally contracted for does not exceed that authorized by Title 9, Section 60, Alabama Code 1940.

Section 6: To insure full disclosure to the borrower, the lender shall furnish the borrower, or if there be two or more, one of them, a statement showing the amount contracted to be repaid, the interest and other charges to be paid by the borrower, and any other expenses paid by the lender for the account of the borrower, or a copy of the loan instruments and closing statement showing all charges and disbursements paid by the borrower at the time of closing.

Section 7: For the purposes of this Act, the phrase "installment loan" is any loan of money which is repayable in two or more payments. If the payments are not substantially equal in amount, or do not fall due at substantially equal time intervals, the effective rate of interest on the loan for the entire period thereof, or on the outstanding balance at any time

during the loan, must never exceed the maximum effective rate that could be charged under Section 1 hereof if the installments were substantially equal in amount and fell due at substantially equal time intervals.

Section 8: Nothing contained in this Act shall apply to any lender licensed under the provisions of Act No. 374, H. 102, approved Nov. 6, 1959 (General Acts of Alabama 1959, p. 966), with respect to loans regulated thereby. Nothing contained in this Act shall apply to any loan of money or forbearance of money, goods, or things in action secured in whole or in part by lien, mortgage, deed of trust, or other conveyance of real property or any interest in real property, unless the Act is specifically made applicable by a written instrument evidencing the particular loan or forbearance. Nothing contained in this Act shall apply to loans made to, or bonds, debentures, notes, warrants, certificates of indebtedness, or other securities issued by corporations, trusts, or legal entities other than natural persons, unless the Act is specifically made applicable by the written instrument evidencing the particular transaction, provided, however, that a partnership shall be deemed a natural person for the purposes of this Section. Nothing contained in this Act shall apply to the purchase or sale of property on credit.

Section 9: Nothing contained in this Act shall prevent any person, firm or corporation from purchasing or otherwise acquiring from the payee or holder thereof any obligation in writing to pay money in installments for such price or other consideration, and upon such additional terms and conditions as may be mutually agreeable.

Section 10: This act may be cited as the "Installment Loan Act", which shall be considered as its short title.

Section 11: If any clause, section, division or portion of this Act shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other clause, section, or portion of this Act which is not itself unconstitutional.

Section 12: The rates, penalties, premiums and charges authorized by this Act shall be construed as exceptions to the laws of Alabama governing interest and usury. All laws or parts of laws in conflict herewith are hereby repealed, but only to the extent in conflict with this Act. This Act shall take effect 90 days after its passage and approval by the Governor, or 90 days after its otherwise becoming a law.

And the substitute was adopted.

Yeas 56; Nays 1.

Yeas:

Mr. Speaker	Camp	Franklin	Harris
Adams	Casey	Gilchrist	Harvey
Avery	Cates	Gilmer	Hawkins
Bailey	Chambers	Goldthwaite	Hearn
Barnett	Cook	Goodwyn	Ingram
Bevill	Daniel	Gordon	Jenkins
Bishop	Dodd	Grant	Johnson (J. T. Tom)
Brewer	Dunn	Gross	Jones (Montroe)
Britton	Edwards	Hain	Lee
Cabiness	Ferguson	Hankins	Long (Perry)

McClendon (Chambers)	Nettles	Shumate	Thomas
McLendon (Bullock)	Nichols	Solomon	Torbert
Meade	Oakley	Speaks	Turner
Morrow	Phillips	Steagall	Turnham

—56

Nay:

Mr. Long (Lauderdale)

—1

The question was then upon the adoption of the amendment reported by the Standing Committee on Business and Labor, said committee amendment being as follows:

BUSINESS AND LABOR AMENDMENT TO SUBSTITUTE H. B. 39

Amend the H. B. 39, by adding the following section immediately following Section 8, thereof:

"Section 8-A. Nothing contained in this Act shall apply to loans made by insurance companies qualified to do business in Alabama, nor to loans made by profit sharing and retirement plans and pension plans which are qualified as exempt plans under Sections 401 and 501 of Internal Revenue Code of 1954, unless, in any such loan the Act is specifically made applicable by a written instrument evidencing the particular loan."

And the amendment was adopted.

Yeas 61; Nays 0.

Yeas:

Mr. Speaker	Dickson	Harvey	Nichols
Adams	Dodd	Hawkins	Oakley
Avery	Dunn	Hearn	Phillips
Bailey	Edwards	Ingram	Rast
Barnett	Ferguson	Jenkins	Rozelle
Bevill	Franklin	Johnson (J. T. Tom)	Self
Bishop	Gilchrist	Johnston (Leonard)	Shumate
Brewer	Gilmer	Jones (Monroe)	Solomon
Britton	Goldthwaite	Lee	Speaks
Cabiness	Goodwyn	Long (Perry)	Steagall
Camp	Gordon	McClendon (Chambers)	Sullivan
Casey	Grant	McLendon (Bullock)	Thomas
Cates	Gross	Meade	Turner
Chambers	Hain	Morrow	Turnham
Cook	Hankins	Nettles	Vickers
Daniel			

—61

Mr. Torbert offered the following amendment to the bill, H. 39, as amended:

Amend the substitute for House Bill 39 by adding the following sentence at the end of Section 8:

"Nothing contained in this Act shall apply to Credit Unions as defined by law."

And the amendment was adopted.

Yeas 61; Nays 0.

Yeas:

Mr. Speaker	Dickson	Hankins	Nettles
Adams	Dodd	Harvey	Nichols
Avery	Dunn	Hawkins	Oakley
Bailey	Edwards	Hearn	Phillips
Barnett	Faulk	Ingram	Powell
Bevill	Ferguson	Jenkins	Rast
Bishop	Franklin	Johnson (J. T. Tom)	Self
Branyon	Gilchrist	Johnston (Leonard)	Shumate
Brewer	Gilmer	Jones (Monroe)	Solomon
Britton	Goldthwaite	Lee	Steagall
Cabiness	Goodwyn	Long (Perry)	Sullivan
Camp	Gordon	McClendon (Chambers)	Thomas
Casey	Grant	McLendon (Bullock)	Turner
Cates	Gross	Meade	Turnham
Cook	Hain	Morrow	Vickers
Daniel			

—61

Mr. Torbert offered the following amendment to the bill, H. 39, as amended:

Amend the substitute for House Bill 39 by striking subsections (3), (4) and (5) of Section 3(b), and by substituting the following:

(3) The premium on any life insurance policy on the life of the borrower. Said insurance may not exceed the approximate term of said loan, or the approximate amount of the loan or commitment to lend. Any gain or advantage in the form of commission, or otherwise, to the lender or to any employee, affiliate or associate of the lender, from such insurance and its sale shall not be considered an unlawful charge in connection with the loan.

(4) The premium for risk, collision or hazard insurance (including so-called home-owner's policies and similar multi-line coverage) covering any collateral securing said loan for the term thereof as nearly as possible. A commission may be received on such insurance by any duly licensed insurance agent and such commission shall not be considered an unlawful charge in connection with the loan.

(5) The insurance authorized in sub-sections (3) and (4) hereof must be written by insurance companies authorized to do business in Alabama. Premiums for said insurance may be deducted from the proceeds of the loan.

And the amendment was adopted.

Yeas 65; Nays 0.

Yeas:

Mr. Speaker	Brewer	Cook	Franklin
Adams	Britton	Daniel	Gilmer
Bailey	Cabiness	Dickson	Goldthwaite
Barnett	Callahan	Dodd	Goodwyn
Bevill	Camp	Edwards	Gordon
Bishop	Casey	Faulk	Grant
Branyon	Cates	Ferguson	Gross

Hain	Jones (Monroe)	Oakley	Solomon
Hankins	Lee	Phillips	Speaks
Harris	Long (Perry)	Pierce	Steagall
Harvey	McClendon (Chambers)	Powell	Sullivan
Hawkins	McLendon (Bullock)	Rast	Thomas
Hearn	Meade	Rozelle	Torbert
Ingram	Morrow	Salter	Turner
Jenkins	Nettles	Self	Turnham
Johnson (J. T. Tom)	Nichols	Shumate	Vickers
Johnston (Leonard)			

—65

Mr. Torbert offered the following amendment to the bill, H. 39, as amended:

Amend the substitute for House Bill 39 by striking Section 4 thereof and by substituting the following:

Section 4: Any lender who, or which, willfully violates this Act shall forfeit the principal and any interest agreed to be paid on the loan. In case a greater interest charge has been willfully taken or received, the borrower, or his legal representative, may recover back twice the amount of interest paid from the lender. In computing the interest which any borrower has paid, the rule of 78ths contained in Section 5 hereof shall be applied. Any lender who, or which, willfully violates this Act shall be guilty of a misdemeanor, and upon conviction thereof, shall be punishable by a fine of not more than \$1,000.00.

And the amendment was adopted.

Yeas 73; Nays 0.

Yeas:

Messrs.	Engel	Johnson (J. T. Tom)	Pierce
Adams	Faulk	Johnston (Leonard)	Powell
Albea	Ferguson	Jones (Covington)	Rast
Bailey	Franklin	Jones (Monroe)	Roberts
Barnett	Gilchrist	Lee	Rozelle
Bevill	Gilmer	Long (Lauderdale)	Salter
Bishop	Goldthwaite	Long (Perry)	Self
Branyon	Goodwyn	McClendon (Chambers)	Sessions
Brewer	Gordon	McCorquodale	Shumate
Britton	Grant	McLendon (Bullock)	Solomon
Cabiness	Gross	Meade	Speaks
Camp	Hain	Morrow	Steagall
Casey	Hankins	Murphy	Sullivan
Cates	Harris	Nettles	Thomas
Daniel	Harvey	Nichols	Torbert
Dickson	Hawkins	Oakley	Turner
Dodd	Hearn	Owens	Turnham
Dunn	Ingram	Phillips	Vickers
Edwards	Jenkins		

—73

Mr. Casey offered the following amendment to the bill, H. 39, as amended:

AMENDMENT TO H. B. 39, AS AMENDED

In Section 1(a), line 3, strike out "eight dollars" and insert "six dollars"

On motion of Mr. Torbert the amendment offered by Mr. Casey was laid upon the table.

Yeas 48; Nays 31.

Yeas:

Messrs.	Dickson	Hawkins	Phillips
Albea	Dodd	Ingram	Pierce
Barnett	Edwards	Johnson (J. T. Tom)	Powell
Bassett	Engel	Jones (Monroe)	Rast
Bevill	Faulk	Lee	Sessions
Boyd	Franklin	Long (Perry)	Solomon
Brannan	Gilmer	McLendon (Mullock)	Steagall
Brewer	Goldthwaite	Meade	Thomas
Britton	Goodwyn	Morrow	Torbert
Camp	Grant	Nettles	Turner
Cates	Gross	Nichols	Turnham
Cook	Hain	Oakley	Vickers
Daniel			

—48

Nays:

Mr. Speaker	Chambers	Hearn	Pruitt
Albea	Dunn	Johnston (Leonard)	Roberts
Bailey	Ferguson	Jones (Covington)	Rozelle
Bishop	Gilchrist	Long (Lauderdale)	Salter
Broadfoot	Grouby	McCorquodale	Self
Cabiness	Hankins	Merrill	Speaks
Callahan	Harris	Murphy	Sullivan
Casey	Harvey	Owens	

—31

Mr. Broadfoot offered the following amendment to the bill, H. 39, as amended:

AMENDMENT TO H. B. 39, AS AMENDED

In Section 1 (a), line 3, strike out "eight dollars" and insert "\$6.50"

On motion of Mr. Torbert the amendment offered by Mr. Broadfoot was laid upon the table.

Yeas 51; Nays 29.

Yeas:

Messrs.	Brannan	Camp	Edwards
Barnett	Branyon	Cates	Faulk
Bassett	Britton	Cook	Franklin
Bevill	Broadfoot	Daniel	Gilmer
Boyd	Brooks	Dickson	Glass

Goldthwaite	Johnson (<i>J. T. Tom</i>)	Nichols	Sessions
Goodwyn	Jones (<i>Monroe</i>)	Oakley	Smith (<i>St. Clair</i>)
Grant	Lee	Oden	Solomon
Gross	Long (<i>Perry</i>)	Owens	Steagall
Guthrie	Meade	Phillips	Taylor
Hain	Morrow	Pierce	Thomas
Ingram	Murphy	Powell	Torbert
Johnson (<i>Hardaway</i>)	Nettles	Ray	Turnham

—51

Nays:

Mr. Speaker	Cornett	Harvey	Pruitt
Albea	Dodd	Hawkins	Roberts
Bailey	Engel	Hearn	Rozelle
Bishop	Ferguson	Jones (<i>Covington</i>)	Salter
Brewer	Gilchrist	Long (<i>Lauderdale</i>)	Self
Cabiness	Grouby	McCorquodale	Speaks
Callahan	Hankins	Merrill	Turner
Casey			

—29

And said bill, H. 39, as amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 24.

Yeas:

Messrs.	Edwards	Ingram	Phillips
Avery	Faulk	Jenkins	Pierce
Barnett	Franklin	Johnson (<i>Hardaway</i>)	Powell
Bassett	Gilchrist	Johnson (<i>J. T. Tom</i>)	Ramey
Bevill	Gilmer	Johnston (<i>Leonard</i>)	Rast
Boyd	Glass	Jones (<i>Monroe</i>)	Ray
Brannan	Goldthwaite	Lee	Sessions
Branyon	Goodwyn	Long (<i>Perry</i>)	Shumate
Brewer	Gordon	McLendon (<i>Bullock</i>)	Smith (<i>St. Clair</i>)
Britton	Grant	Martin	Steagall
Brooks	Gross	Meade	Sullivan
Cabiness	Guthrie	Morrow	Taylor
Camp	Hain	Murphy	Thomas
Cates	Harris	Nettles	Torbert
Cook	Harvey	Nichols	Turner
Daniel	Hawkins	Oakley	Turnham
Dickson	Hearn	Oden	Vickers
Dodd			

—68

Nays:

Mr. Speaker	Engel	Long (<i>Lauderdale</i>)	Rozelle
Albea	Ferguson	McCorquodale	Salter
Bailey	Grouby	Merrill	Self
Bishop	Hanby	Owens	Smith (<i>Russell</i>)
Callahan	Hankins	Pruitt	Solomon
Cornett	Jones (<i>Covington</i>)	Roberts	Speaks

—24

PAIR ANNOUNCED

Mr. Casey announced that he was paired with Mr. Reynolds (Chambers). If Mr. Reynolds (Chambers) were present he would vote "yea" and Mr. Casey would vote "nay".

Mr. Copeland announced that in compliance with Section 82 of the Alabama Constitution of 1901 that he was not voting on House Bill 39.

And the bill:

H. 176. (with substitute). To provide for the deposit of money of the State and for the investment of portions thereof under certain conditions, creating the state investment committee and prescribing their powers, duties, and compensation.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Ways and Means, said committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To provide for the deposit of money of the State and for the investment of portions thereof under certain conditions, creating the state investment committee and prescribing their powers, duties, and compensation.

Be It Enacted by the Legislature of Alabama:

Section 1. The state treasurer, director of finance, and secretary-treasurer of the teachers retirement system, acting as the state investment committee, may, by and with the approval of the governor, deposit the money of the state or any money held in trust by the state treasurer in any bank or trust company designated as a state depository according to law.

Section 2. The members of the state investment committee shall meet regularly in the office of the state treasurer, who shall be chairman of the committee, on the first and third Monday in each month for the purpose of determining the condition of the treasury with respect to the availability of funds for deposit or investment, as hereinafter provided. No member shall delegate to another his duty to attend such meetings or to serve on the committee.

Section 3. As much money as may be needed for current operational purposes of the government, as determined by the state investment committee, with the approval of the governor, shall be maintained at all times in the state treasury in cash or in demand deposits or accounts in state depository banks, as designated by the committee with the approval of the governor. Such demand deposits shall be fairly apportioned, however, among state depositories throughout the state, after due consideration has been given by the committee of the value and importance of such deposits to the economy of the communities in the various areas of the state to be affected thereby; and due consideration shall also be given by the committee to the reasonable value of the banking services rendered or to be ren-

dered the state by individual depository banks, and also to activity of the various accounts maintained therein, so that such banks will be justly rewarded in proportion to the ordinary banking services they perform for the state.

Section 4. The excess above such amount of money as may be needed for current operational expenses of the government, as determined by the committee, with the approval of the governor, shall be deposited by the state treasurer, with the approval of the committee and the governor, in interest-bearing time deposits in state depositories, under such terms and conditions and at such rates of interest as may be determined from time to time by the committee. Provided, that such rates shall be within the limits allowed by federal banking regulations. And provided further, that in determining the interest rates for time deposits, the committee shall consider the prevailing rate of U. S. Treasury bills.

Section 5. In the event depository banks are unwilling to accept time deposits of all public money available for such deposits on the terms and conditions determined by the committee, the treasurer shall, on direction of the committee, and approval by the governor, invest such money in short term direct obligations of the United States due within one year from date of purchase, and maturing on dates the funds are anticipated to be needed. The interest earned on investments and on time deposits shall be credited to the general fund. Provided, that interest earned on the investment or deposit of constitutional trust funds shall accrue to the benefit of such funds. If at any time funds are found to be needed before the maturity dates of any investment made hereunder, the securities may be sold at current market prices to meet such needs; and if any capital loss is experienced as a result of the sale of securities before maturity, such loss shall be offset by interest earned on such investment from the date of purchase to the date of sale. Nothing herein contained shall prohibit state officials from recognizing and accepting the insurance coverage afforded by the Federal Deposit Insurance Corporation.

Section 6. This Act supersedes the provisions of Section 393, Title 55, Code of Alabama 1940, and all other laws or parts of laws in conflict herewith.

Section 7. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 8. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

On motion of Mr. Bailey the substitute reported by the Standing Committee on Ways and Means was laid upon the table.

Mr. Bailey offered the following substitute for the bill, H. 176:

A BILL
TO BE ENTITLED
AN ACT

To provide for the deposit of funds or moneys belonging to the State and for the investment of portions thereof under certain conditions; to

provide for an advisory committee; to provide for the repeal of Title 55, Section 393, Code of Alabama of 1940, and of Act Number 66, General Acts of Alabama, 1945, page 63, and of inconsistent laws or parts of laws heretofore enacted; and to provide when this Act shall take effect.

Be It Enacted by the Legislature of Alabama:

Section 1. The treasurer, by and with the approval of the Governor, may place all funds or moneys, or any part thereof, paid to him or any other funds or moneys, including trust funds, that he may have at any time on hand in any one or more of the state depositories in accordance with the rules and regulations prescribed by Chapter 12, Title 55, Alabama Code of 1940.

Section 2. The treasurer shall maintain at all times in cash in the state treasury, or in demand deposits or accounts in state depository banks as designated by the Governor, or in both, as much money as the treasurer determines may be needed for current operational purposes of the government. Such demand deposits or accounts shall be fairly apportioned among state depositories throughout the state. Due consideration shall be given to the value and importance of such deposits to the economy of the communities in the various areas of the state to be affected thereby, and due consideration shall also be given to the reasonable value of the banking services rendered or to be rendered the state by individual depository banks, and to activity of the various accounts maintained therein, so that such depository banks will be justly rewarded by adequate compensating balances in proportion to the banking services they perform for the state.

Section 3. The state treasurer as chairman, state comptroller, state budget officer and the chief examiner of the Department of Examiners of Public Accounts, acting as an advisory committee, shall meet regularly in the office of the state treasurer on the first and third Mondays in each month, and more often if circumstances require, to consider and to recommend in writing with full supporting data the amount available for investment, the date or dates on which it is anticipated that money is to be needed and the amount thereof. The treasurer, with the advice and counsel of said committee, shall determine and certify to the Governor the amount available for investment and the date or dates on which it is anticipated that money is to be needed and the amount thereof.

Section 4. Any sums in excess of the amount determined to be needed for current operational purposes of the government shall be invested by the treasurer, by and with the consent of the Governor, in direct obligations of the United States due within one year from date of purchase and maturing on dates the funds are anticipated to be needed. All interest earned on such investments shall be credited to the General Fund of the State of Alabama. If at any time cash is needed prior to the maturity date of any investment made hereunder, and it is necessary to meet such need by the sale of such investment, the treasurer may sell at current market prices. If any loss is experienced as a result of the sale of securities before maturity, such loss shall be charged against the General Fund of the State of Alabama.

Section 5. The treasurer shall be the custodian of all securities purchased hereunder, provided that he may, with the approval of the Governor, deposit with a state depository bank such of said securities as he shall consider advisable to be held in safe keeping by said depository for collec-

tion, including principal and interest, or for receiving the proceeds of sale thereof.

Section 6. The provision of Title 55, Section 393, Code of Alabama of 1940, and of Act No. 66, General Acts of Alabama 1945, page 63, approved June 1, 1945, and of all other laws or parts of laws in conflict herewith are repealed as of the effective date of this Act.

Section 7. The provisions of this Act are severable. If any part hereof is finally declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 8. This Act shall become effective October 1, 1961, following passage and approval by the Governor, or following its otherwise becoming law.

And the substitute was adopted.

Yeas 87; Nays 2.

Yeas:

Mr. Speaker	Cornett	Hearn	Pierce
Adams	Daniel	Ingram	Powell
Albea	Dickson	Jenkins	Pruitt
Avery	Dodd	Johnson (Hardaway)	Rast
Bailey	Dunn	Johnson (J. T. Tom)	Ray
Barnett	Edwards	Johnston (Leonard)	Roberts
Bassett	Engel	Jones (Covington)	Rozelle
Bevill	Faulk	Jones (Montree)	Salter
Bishop	Ferguson	Lee	Self
Boyd	Gilchrist	Locke	Sessions
Brannan	Gilmer	Long (Perry)	Shumate
Branyon	Glass	McClendon (Chambers)	Smith (Russell)
Brewer	Goldthwaite	McCorquodale	Smith (St. Clair)
Britton	Goodwyn	McLendon (Bullock)	Solomon
Brooks	Grant	Martin	Speaks
Cabiness	Gross	Meade	Steagall
Callahan	Grouby	Merrill	Sullivan
Camp	Hanby	Morrow	Thomas
Casey	Hankins	Nettles	Torbert
Cates	Harris	Oakley	Turner
Chambers	Harvey	Oden	Turnham
Copeland	Hawkins	Owens	

—87

Nays:

Messrs.	Cook	Guthrie
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—2

Mr. Turnham offered the following amendment to the bill, H. 176, as amended:

Amendment to Substitute for H. B. 176

In Section 4 after the words such investments shall be credited to the, strike out the words General Fund of the State of Alabama, and substitute therefor the words Special Education Trust Fund.

The motion of Mr. Bailey to lay on the table the amendment offered by Mr. Turnham was lost.

Yeas 19; Nays 67.

Yeas:

Mr. Speaker	Franklin	Lee	Roberts
Casey	Goldthwaite	Long (Perry)	Smith (Russell)
Cornett	Goodwyn	Meade	Solomon
Dickson	Hawkins	Nichols	Turner
Engel	Ingram	Fruitt	

—19

Nays:

Messrs.	Dodd	Johnson (J. T. Tom)	Pierce
Adams	Dunn	Johnston (Leonard)	Powell
Albea	Faulk	Jones (Covington)	Ramey
Avery	Ferguson	Jones (Monroe)	Rast
Barnett	Gilchrist	Locke	Ray
Bevill	Gilmer	Long (Lauderdale)	Rozelle
Bishop	Glass	McClendon (Chambers)	Salter
Boyd	Gordon	McCorquodale	Self
Branyon	Grant	McLendon (Bullock)	Sessions
Brewer	Grouby	Martin	Shumate
Broadfoot	Guthrie	Merrill	Smith (St. Clair)
Cabiness	Hain	Morrow	Speaks
Callahan	Hanby	Nettles	Steagall
Camp	Hankins	Oakley	Sullivan
Cates	Harris	Oden	Thomas
Copeland	Harvey	Owens	Torbert
Daniel	Hearn	Phillips	Turnham

—67

The question was on the adoption of the amendment offered by Mr. Turnham to the bill, H. 176, as amended, and said amendment was adopted.

Yeas 91; Nays 2.

Yeas:

Messrs.	Cates	Gordon	Lee
Adams	Chambers	Grant	Locke
Albea	Cook	Gross	Long (Lauderdale)
Avery	Copeland	Grouby	Long (Perry)
Barnett	Cornett	Guthrie	McClendon (Chambers)
Bassett	Daniel	Hain	McCorquodale
Bevill	Dickson	Hanby	McLendon (Bullock)
Bishop	Dodd	Hankins	Martin
Boyd	Dunn	Harris	Meade
Branyon	Engel	Harvey	Merrill
Brewer	Faulk	Hawkins	Morrow
Britton	Ferguson	Hearn	Nettles
Broadfoot	Franklin	Ingram	Nichols
Brooks	Gilchrist	Johnson (Hardaway)	Oakley
Cabiness	Gilmer	Johnson (J. T. Tom)	Oden
Callahan	Glass	Johnston (Leonard)	Owens
Camp	Goldthwaite	Jones (Covington)	Phillips
Casey	Goodwyn	Jones (Monroe)	Pierce

Powell	Rozelle	Smith (Russell)	Sullivan
Ramey	Salter	Smith (St. Clair)	Taylor
Rast	Self	Solomon	Thomas
Ray	Sessions	Speaks	Torbert
Roberts	Shumate	Steagall	Turner

—91

Nays:

Mr. Speaker Pruitt

—2

And said bill, H. 176, as amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 10.

Yeas:

Mr. Speaker	Dickson	Hearn	Powell
Adams	Dodd	Ingram	Pruitt
Albea	Dunn	Jenkins	Ramey
Avery	Engel	Johnson (Hardaway)	Rast
Bailey	Faulk	Johnson (J. T. Tom)	Ray
Bassett	Franklin	Johnston (Leonard)	Roberts
Bishop	Gilchrist	Jones (Covington)	Rozelle
Boyd	Gilmer	Jones (Monroe)	Self
Brannan	Glass	Lee	Sessions
Branyon	Goldthwaite	Locke	Smith (Russell)
Brewer	Goodwyn	Long (Lauderdale)	Smith (St. Clair)
Britton	Gordon	McClendon (Chambers)	Solomon
Brooks	Grant	McCorquodale	Speaks
Cabiness	Gross	McLendon (Bullock)	Steagall
Callahan	Grouby	Martin	Sullivan
Camp	Hain	Meade	Taylor
Casey	Hanby	Merrill	Thomas
Cates	Hankins	Morrow	Torbert
Chambers	Harris	Oden	Turner
Copeland	Harvey	Owens	Turnham
Cornett	Hawkins	Pierce	Vickers
Daniel			

—85

Nays:

Messrs.	Cook	Long (Perry)	Salter
Barnett	Ferguson	Oakley	Shumate
Bevill	Guthrie	Phillips	

—10

And the bill:

H. 703. To authorize the State Agency for Administration of Social Security Act to secure social security coverage for certain student employees of the State of Alabama and the political subdivisions and instrumentalities thereof.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Dickson	Harvey	Oakley
Adams	Dodd	Hawkins	Oden
Albea	Dunn	Hearn	Owens
Avery	Edwards	Ingram	Phillips
Bailey	Engel	Johnson (Hardaway)	Pierce
Barnett	Faulk	Johnson (J. T. Tom)	Powell
Bevill	Ferguson	Johnston (Leonard)	Pruitt
Bishop	Franklin	Jones (Covington)	Ramey
Boyd	Gilchrist	Jones (Monroe)	Rast
Brannan	Gilmer	Lee	Ray
Branyon	Glass	Locke	Roberts
Brewer	Goldthwaite	Long (Lauderdale)	Rozelle
Broadfoot	Goodwyn	Long (Perry)	Salter
Brooks	Gordon	McClendon (Chambers)	Self
Cabiness	Grant	McCorquodale	Sessions
Callahan	Gross	McLendon (Bullock)	Smith (Russell)
Camp	Grouby	Martin	Solomon
Cates	Guthrie	Meade	Speaks
Cook	Hain	Merrill	Stecgall
Copeland	Hanby	Morrow	Thomas
Cornett	Hankins	Nettles	Turner
Daniel	Harris	Nichols	

—87

And the bill:

H. 479. (with substitute) (with amendment). To amend Sections 697 and 703 of Title 51, Code of Alabama 1940, so as to revise the privilege license schedules relating to the registration of trucks, truck-tractors, trailers, and semi-trailers.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Ways and Means, said committee substitute being as follows:

A BILL TO BE ENTITLED AN ACT

To amend Sections 697 and 703 of Title 51, Code of Alabama 1940, so as to revise the privilege license schedules relating to the registration of trucks, truck-tractors, trailers, and semi-trailers.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 697 of Title 51, Code of Alabama 1940, is amended to read as follows:

"Section 697.—(a) Each motor truck using exclusively motor fuel on which the excise tax imposed by this state has been paid, or motor fuel which will be included in the report required to be made to the department of revenue of motor fuel sold or stored and on which the state excise tax on motor fuel will be paid when same becomes due, shall pay a license tax in

accordance with the following schedules, based on maximum gross vehicle weight. For purposes of computing the license tax payable hereunder, the term 'gross vehicle weight' shall mean the empty weight of the truck or truck-tractor, and, in the case of combinations, the empty weight of the heaviest trailer or semi-trailer with which the power unit shall be placed in combination, plus the heaviest load to be carried. No tolerance or margin of error allowable under any other provisions of law shall be deemed applicable to the provisions of this section.

“(b) Trucks and Truck-Tractors Used on Farms.—Motor trucks and truck-tractors for which the owner submits a sworn statement as a part of the registration application to the effect that the vehicle is either (I) used or domiciled upon a farm; or (II) used primarily for the transportation of earth or earth products; or (III) primarily used and designed for the transportation of logs, lumber, poles, pulpwood or other forest products, as exempt under the Alabama Motor Carrier Act of 1939, as amended, shall pay the following licenses:

Gross Vehicle Weight in Pounds	Amount of License Tax
0 to 8,000	\$ 3.00
8,001 to 12,000	6.00
12,001 to 18,000	10.00
18,001 to 24,000	15.00
24,001 to 30,000	28.00
30,001 to 36,000	34.00
36,001 to 42,000	40.00
42,001 or more	60.00

“(c) Truck and Truck-Tractors For-Hire—Exclusive of trucks used for the transportation of household goods, personal furniture or other personal household effects and except as otherwise hereinafter provided, motor trucks and truck-tractors with more than two axles when a single unit truck, and all tractor-semi-trailer or truck-trailer combinations which are used to transport goods, wares, merchandise, or commodities of any kind or nature for compensation of any kind, or operated under any rental, lease or other agreement where compensation is charged for the use of such vehicle, except motor vehicles used in the transportation of commodities exempt under the Alabama Motor Carrier Act 1939, as amended, either directly or indirectly, shall pay the following licenses:

Gross Vehicle Weight in Pounds	Amount of License Tax
0 to 8,000	\$ 15.00
8,001 to 12,000	20.00
12,001 to 18,000	35.00
18,001 to 24,000	50.00
24,001 to 30,000	200.00
30,001 to 36,000	250.00
36,001 to 42,000	300.00
42,001 or more	450.00

“It is provided, however, that vehicles as described in this subsection which operate exclusively within 15 miles of the corporate limits of the incorporated municipality in which they are customarily domiciled (but not including vehicles operating beyond the borders of Alabama) are not considered to be for-hire, and shall be registered as not-for-hire vehicles.

“(d) Trucks and Truck-Tractors Not-For-Hire.—Motor trucks and

truck-tractors which do not qualify for registration as either farm trucks, or trucks for-hire, shall pay the following licenses:

Gross Vehicle Weight in Pounds	Amount of License Tax
0 to 8,000	\$ 15.00
8,001 to 12,000	20.00
12,001 to 18,000	35.00
18,001 to 24,000	50.00
24,001 to 30,000	70.00
30,001 to 36,000	85.00
36,001 to 42,000	100.00
42,001 or more	150.00

“(e) Except for trucks purchased prior to November fifteenth of any tax year the licenses called for under this section shall be purchased on a monthly declining basis of one-twelfth, or for each month of the tax year, and the purchaser shall only buy a license for the then remaining months of the tax year; provided, however, that licenses costing less than twelve dollars (\$12.00) a year may not be purchased on such monthly declining basis. In figuring the license on a one-twelfth reduction for each month, the amount of any fraction shall be figured to the nearest ten cents above the fraction thereof. The purchaser of a motor truck purchased after November fifteenth of any tax year shall have such time to purchase the license called for hereunder as may be prescribed by rules and regulations affecting the purchase of said licenses promulgated by the department of revenue.

“(f) The owner of a motor truck or truck-tractor may voluntarily increase the allowable gross weight for which his vehicle is licensed by purchasing the license hereinabove prescribed for the appropriate weight classification and paying the difference in fees between the license which is surrendered and that for the higher weight classification desired. The license classification may not be decreased for a vehicle, however, except once a year at the time new license tags or plates are purchased for such vehicle. If upon inspection any vehicle licensed hereunder is found to weigh more than is permitted by the license plates which it carries (regardless of whether such weight is below the legal maximum permitted for other than licensing purposes), the owner of such vehicle shall purchase immediately a new license for the weight of the vehicle as inspected. In such an event no credit shall be allowed for the surrendered under-rated license plates or tags, and the owner of the vehicle shall be subject to the penalty prescribed by law for using a motor vehicle with an improper license.”

Section 2. Section 703, Title 51, Code of Alabama 1940 is amended to read as follows:

“Section 703.—Every trailer, small trailer, and semi-trailer subject to a license shall pay a license fee as herein provided. On each trailer, small trailer or semi-trailer for which the owner submits a sworn statement as a part of the registration application to the effect that the vehicle is used on and is domiciled upon a farm, or upon a woodlot (which is defined as an area devoted to the growing of forest trees) and is used primarily for the carriage of logs or pulpwood, except vehicles owned or leased by sawmill operators for this purpose, the license fee shall be five dollars. On every trailer, small trailer or semi-trailer not eligible to qualify as a farm trailer, the license fee shall be ten dollars. The cost of the license plate or tag issued for such trailer or semi-trailer shall not be deemed a part of the

license tax of any motor truck or truck-tractor with which the trailer or semi-trailer may be operated in combination. Trailers of any kind or description for hauling passengers for hire are prohibited by law. Small trailers attached to passenger cars, which are used for the transporting of less than fifteen hundred pounds, except such units as are leased, rented or otherwise operated for hire are exempt from payment of any license. Provided that small trailers supported by their own wheels when used on a highway by a farmer for the purpose of transporting to and from his farm, farm products or products to be used on the farm, but for all other purposes they are prohibited, except as permission is given in other provisions of this article."

Section 3. This Act shall become effective October 1, 1962.

On motion of Mr. Smith (Russell) the substitute reported by the Standing Committee on Ways and Means was laid upon the table.

The question was then upon the adoption of the amendment reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

Amend Section 1, sub-section (b) to read as follows:

"(b) Trucks and Truck-Tractors used on Farms.—Motor trucks and truck-tractors for which the owner submits a sworn statement as a part of the registration application to the effect that the vehicle is either (I) used or domiciled on a farm; or (II) used primarily for the transportation of earth or earth products; or (III) for the transportation of groceries and food products, feeds and feed stuffs; or (IV) for the transportation of gasoline and petroleum products; or (V) primarily designed and used for the transportation of logs, lumber, poles, pulpwood or other forest products as exempt under the Alabama Motor Carrier Act of 1939, as amended, shall pay the following licenses:

Gross Vehicle Weight in Pounds	Amount of License Tax
0 to 8,000	\$ 3.00
8,001 to 12,000	6.00
12,001 to 18,000	10.00
18,001 to 24,000	15.00
24,001 to 30,000	28.00
30,001 to 36,000	34.00
36,001 to 42,000	40.00
42,001 or more	60.00

And further amend Section 1, sub-section (d) to read as follows:

"(d) Trucks and Truck-Tractors Not-For-Hire. Motor trucks and truck-tractors which do not qualify for registration as either farm trucks, or trucks used for the transportation of groceries, and food products, feed and feed stuffs, gasoline and petroleum products, earth or earth products, or trucks primarily used and designed for the transportation of logs, lumber, poles, pulpwood or other forest products, or trucks for-hire, or any truck, or tractor-semi-trailer combination operated under a rental, lease or other agreement when the person furnishing the transportation is legally and regularly in the business of transporting his own property exclusively, shall pay the following licenses:

Gross Vehicle Weight in Pounds	Amount of License Tax
0 to 8,000	\$ 15.00
8,001 to 12,000	20.00
12,001 to 18,000	35.00
18,001 to 24,000	50.00
24,001 to 30,000	70.00
30,001 to 36,000	85.00
36,001 to 42,000	100.00
42,001 or more	150.00

On motion of Mr. Smith (Russell) the amendment reported by the Standing Committee on Ways and Means was laid upon the table.

Yeas 73; Nays 9.

Yeas:

Mr. Speaker	Engel	Jenkins	Powell
Adams	Faulk	Johnson (Hardaway)	Pruitt
Albea	Ferguson	Johnson (J. T. Tom)	Ramey
Avery	Franklin	Johnston (Leonard)	Rast
Bevill	Gilchrist	Lee	Roberts
Bishop	Gilmer	Locke	Rozelle
Brannan	Glass	Long (Lauderdale)	Salter
Brewer	Goldthwaite	McClendon (Chambers)	Sessions
Britton	Grant	McCorquodale	Shumate
Broadfoot	Gross	McLendon (Bullock)	Smith (Russell)
Brooks	Grouby	Merrill	Smith (St. Clair)
Cabiness	Guthrie	Morrow	Solomon
Camp	Hain	Murphy	Speaks
Casey	Hanby	Nettles	Steagall
Cook	Hankins	Nichols	Sullivan
Cornett	Harvey	Oakley	Taylor
Daniel	Hawkins	Perry	Thomas
Dodd	Hearn	Phillips	Turner
Dunn			

—73

Nays:

Messrs.	Boyd	Long (Perry)	Pierce
Bailey	Goodwyn	Oden	Ray
Barnett	Jones (Covington)		

—9

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Brewer to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 1031, was adopted.

And the bill:

H. 1031. To amend Section 26 of Title 46, Alabama Code of 1940, relating to the admission to the state bar of graduates of the law department of the University of Alabama.

Was taken up.

Mr. Brewer offered the following amendment to the bill, H. 1031:

Amend House Bill 1031 by striking the words and figures "August 31, 1964" where the same appear in Section 1 thereof and by substituting in lieu thereof the words and figures "August 31, 1965".

And the amendment was adopted.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Cook	Hankins	Phillips
Adams	Copeland	Harris	Pierce
Albea	Cornett	Harvey	Powell
Avery	Dickson	Hawkins	Pruitt
Bailey	Dodd	Hearn	Ramey
Barnett	Dunn	Ingram	Rast
Bassett	Edwards	Johnson (Hardaway)	Ray
Bevill	Engel	Johnson (J. T. Tom)	Roberts
Bishop	Faulk	Johnston (Leonard)	Rozelle
Boyd	Ferguson	Jones (Monroe)	Salter
Brannan	Franklin	Locke	Self
Branyon	Gilchrist	Long (Lauderdale)	Sessions
Brewer	Gilmer	Long (Perry)	Shumate
Britton	Glass	McClendon (Chambers)	Solomon
Broadfoot	Goldthwaite	Martin	Speaks
Brooks	Gordon	Meade	Steagall
Cabiness	Grant	Merrill	Sullivan
Callahan	Gross	Morrow	Taylor
Casey	Grouby	Murphy	Turner
Cates	Hain	Owens	Turnham
Chambers	Hanby	Perry	

—83

And said bill, H. 1031, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 7.

Yeas:

Mr. Speaker	Cates	Goldthwaite	Locke
Adams	Chambers	Gordon	Long (Perry)
Avery	Cook	Grant	McClendon (Chambers)
Bailey	Copeland	Gross	McCorquodale
Barnett	Cornett	Grouby	McLendon (Bullock)
Bassett	Daniel	Hain	Martin
Bevill	Dickson	Hanby	Merrill
Bishop	Dodd	Hankins	Morrow
Boyd	Dunn	Harvey	Murphy
Brannan	Edwards	Hawkins	Nettles
Branyon	Engel	Hearn	Oakley
Brewer	Faulk	Ingram	Owens
Britton	Ferguson	Johnson (Hardaway)	Perry
Broadfoot	Franklin	Johnson (J. T. Tom)	Phillips
Brooks	Gilchrist	Johnston (Leonard)	Pierce
Cabiness	Gilmer	Jones (Covington)	Powell
Casey	Glass	Jones (Monroe)	Pruitt

Ramey	Rozelle	Smith (Russell)	Taylor
Rast	Self	Solomon	Thomas
Ray	Sessions	Steagall	Turner
Roberts	Shumate	Sullivan	Turnham

—84

Nays:

Messrs.	Callahan	Harris	Salter
Albea	Goodwyn	Long (Lauderdale)	Speaks

—7

And the bill:

H. 1261. To alter, rearrange and extend the boundaries of the City of Lipscomb, Alabama, so as to include within the corporate limits thereof certain additional territory in Sections 25, 26 and 36, Township 18 South, Range 4 West, Jefferson County, Alabama:

Was taken up.

Mr. Edwards offered the following substitute for the bill, H. 1261:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundaries of the City of Lipscomb, Alabama, so as to include within the corporate limits thereof certain additional territory in Sections 25, 26 and 36, Township 18 South, Range 4 West, Jefferson County, Alabama:

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the City of Lipscomb Alabama in Jefferson County, Alabama, be and the same are hereby altered, rearranged and extended so as to include within the corporate limits of said City certain additional territory lying within the following described boundaries, to-wit:

Begin at the Southeast corner of said South half of Southwest quarter of Section 25; thence in a westerly direction along the South boundary of said half-quarter section 1303.11 feet more or less to intersection with West right-of-way line of track of Louisville and Nashville Railroad Company, said intersection being the point of beginning of boundary of tract of land herein described; thence turning an angle of 126 degrees and 15 minutes to the right in a northeasterly direction a along a straight line which is the West right-of-way line of said track 318.3 feet, more or less, to point of beginning of the arc of a curve tangent to said straight line, said arc turning to the right, having a radius of 5729.44 feet and being subtended by a central angle of 4 degrees and 10 minutes; thence in a northeasterly direction along said arc which is the West right-of-way line of said track 416.67 feet; thence in a northeasterly direction along a straight line tangent to said arc and which is the West right-of-way line of said track of Louisville and Nashville Railroad Company 51.34 feet; thence turning an angle of 85 degrees and 38 minutes and 30 seconds to the left in a northwesterly direction 174.75 feet, more or less, to a point, said point being a line of 25 feet southeast of and parallel with center line of former main track of Birmingham Electric Company's street railway as said

street railway existed on June 9, 1943; thence turning an angle of 110 degrees and 38 minutes to the left in a southwesterly direction along a straight line which is a line 25.0 feet southeast of and parallel with center line of said former track of Birmingham Electric Company 128.43 feet to the point of beginning of the arc of a curve tangent to said straight line; said arc turning to the right, having a radius of 662.28 feet and being subtended by a central angle of 16 degrees and 50 minutes; thence in a southwesterly direction along said arc which is a line 25.0 feet southeast of and parallel with center line of said former track of Birmingham Electric Company 194.58 feet; thence in a southwesterly direction along a straight line tangent to said arc which is 25 feet southeast of and parallel with center line of said former track of Birmingham Electric Company to a point of intersection with north boundary line of right-of-way of 1st Street (present 19th Street) as shown by Survey of Crescent Heights as recorded in Map Book 6, at page 86, Office of Probate Judge, Jefferson County, Alabama, if said north boundary line of said 1st Street was projected southeasterly; thence northwesterly along said projection of said 1st Street as shown by said Survey or Crescent Heights, 50 feet to a point 25 feet northwest of and parallel with said center line of former track of Birmingham Electric Company; thence southwesterly along a straight line which is a line 25 feet northwest of and parallel with center line of former track of Birmingham Electric Company to point of intersection with the north boundary of said North one-half of Northwest one-fourth of Section 36; said north boundary forming an angle of 49 degrees and 01 minute and 30 seconds to the right from said straight line; thence continuing in a southwesterly direction along a straight line projection of the next above described course which is a line 25.0 feet northwest of and parallel with said former track of Birmingham Electric Company 1729.8 feet to intersection with the west boundary of said Section 36; thence turning an angle of 40 degrees and 55 minutes and 30 seconds to the left in a southerly direction along said west boundary 158.19 feet to intersection with the West right-of-way line of railroad track of Louisville and Nashville Railroad Company; thence turning an angle of 132 degrees and 55 minutes and 30 seconds to the left in a northeasterly direction along a straight line which is the West right-of-way line of said track of Louisville and Nashville Railroad Company 1237.88 feet, more or less, to the point of beginning of the arc of a curve tangent to said straight line, said arc turning to the left, having a radius of 1910.08 feet and being subtended by a central angle of 10 degrees and 52 minutes and 30 seconds; thence in a northeasterly direction along said arc which is the West right-of-way line of said track of Louisville and Nashville Railroad Company 362.54 feet; thence in a northeasterly direction along a straight line tangent to said arc and which is the West right-of-way line of said track of Louisville and Nashville Railroad Company 457.6 feet, more or less, to the point of beginning.

Section 2. That this Act shall become effective immediately upon its passage and approval by the governor or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Barnett	Brannan	Brooks
Adams	Bassett	Branyon	Cabiness
Alba	Bevill	Brewer	Callahan
Avery	Bishop	Britton	Camp
Bailey	Boyd	Broadfoot	Casey

Cates	Grant	Lee	Pruitt
Chambers	Gross	Locke	Ramey
Cook	Grouby	Long (Perry)	Rast
Cornett	Guthrie	McClendon (Chambers)	Ray
Daniel	Hain	McCorquodale	Roberts
Dickson	Hanby	McLendon (Bullock)	Rozelle
Dodd	Hankins	Merrill	Salter
Dunn	Harris	Morrow	Self
Edwards	Harvey	Murphy	Sessions
Engel	Hawkins	Nettles	Shumate
Faulk	Hearn	Nichols	Smith (Russell)
Ferguson	Ingram	Oakley	Solomon
Franklin	Jenkins	Oden	Steagall
Gilmer	Johnson (Hardaway)	Owens	Sullivan
Glass	Johnson (J. T. Tom)	Perry	Taylor
Goldthwaite	Johnston (Leonard)	Phillips	Thomas
Goodwyn	Jones (Covington)	Pierce	Turner
Gordon	Jones (Monroe)	Powell	Turnham

—92

And said bill, H. 1261, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Daniel	Harvey	Oden
Adams	Dickson	Hawkins	Owens
Albea	Dodd	Hearn	Perry
Avery	Dunn	Ingram	Phillips
Bailey	Edwards	Jenkins	Pierce
Barnett	Engel	Johnson (Hardaway)	Powell
Bassett	Faulk	Johnson (J. T. Tom)	Pruitt
Bevill	Ferguson	Johnston (Leonard)	Ramey
Bishop	Franklin	Jones (Covington)	Rast
Boyd	Gilmer	Jones (Monroe)	Ray
Brannan	Glass	Lee	Roberts
Branyon	Goldthwaite	Locke	Rozelle
Brewer	Goodwyn	McClendon (Chambers)	Salter
Britton	Gordon	McCorquodale	Self
Broadfoot	Grant	McLendon (Bullock)	Sessions
Brooks	Gross	Martin	Smith (Russell)
Cabiness	Grouby	Merrill	Solomon
Camp	Guthrie	Morrow	Steagall
Cates	Hain	Murphy	Sullivan
Chambers	Hanby	Nettles	Taylor
Cook	Hankins	Nichols	Turner
Cornett	Harris	Oakley	Turnham

—88

CONSIDERATION OF H. 479 RESUMED

H. 479. To amend Sections 697 and 703 of Title 51, Code of Alabama 1940, so as to revise the privilege license schedules relating to the registration of trucks, truck-tractors, trailers, and semi-trailers.

Was again taken up.

Mr. Smith (Russell) offered the following substitute for the bill, H. 479:

A BILL
TO BE ENTITLED
AN ACT

To revise the privilege license schedules relating to the registration of trucks, truck-tractors, trailers, and semi-trailers operated for hire, repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1.—(a) Each motor truck operated for hire using exclusively motor fuel on which the excise tax imposed by this state has been paid, or motor fuel which will be included in the report required to be made to the department of revenue of motor fuel sold or stored and on which the state excise tax on motor fuel will be paid when same becomes due, shall pay a license tax in accordance with the following schedules, based on maximum gross vehicle weight. For purposes of computing the license tax payable hereunder, the term "gross vehicle weight" shall mean the empty weight of the truck or truck-tractor, and, in the case of combinations, the empty weight of the heaviest trailer or semi-trailer with which the power unit shall be placed in combination, plus the heaviest load to be carried. No tolerance or margin of error allowable under any other provisions of law shall be deemed applicable to the provisions of this section.

(b) Trucks and Truck-Tractors For Hire.—Motor trucks and truck-tractors with more than two axles when a single unit, and all tractor-semi-trailer or truck-trailer combinations which are used to transport goods, wares, merchandise, or commodities of any kind or nature for compensation of any kind, or operated under any rental, lease, or other agreement where compensation is charged for the use of such vehicle, except trucks used for the transportation of household goods, personal furniture, or other household effects, and except motor vehicles used in the transportation of commodities exempt under the Alabama Motor Carrier Act of 1939, as amended, either directly or indirectly, shall pay the following licenses:

Gross Vehicle Weight in Pounds	Amount of License Tax
0 to 8,000	\$ 15.00
8,001 to 12,000	20.00
12,001 to 18,000	35.00
18,001 to 24,000	50.00
24,001 to 30,000	200.00
30,001 to 36,000	250.00
36,001 to 42,000	300.00
42,001 or more	450.00

It is provided, however, that vehicles as described in this subsection which operate exclusively within 15 miles of the corporate limits of the incorporated municipality in which they are customarily domiciled (but not including vehicles operating beyond the borders of Alabama) are not considered to be for hire.

(c) The owner of a motor truck or truck-tractor operated for hire may voluntarily increase the allowable gross weight for which his vehicle is licensed by purchasing the license hereinabove prescribed for the appropriate weight classification and paying the difference in fees between the

license which is surrendered and that for the higher weight classification desired. The license classification may not be decreased for a vehicle, however, except once a year at the time new license tags or plates are purchased for such vehicle. If upon inspection any vehicle licensed hereunder is found to weigh more than is permitted by the license plates which it carries (regardless of whether such weight is below the legal maximum permitted for other than licensing purposes), the owner of such vehicle shall purchase immediately a new license for the weight of the vehicle as inspected. In such an event no credit shall be allowed for the surrendered under-rated license plates or tags, and the owner of the vehicle shall be subject to the penalty prescribed by law for using a motor vehicle with an improper license.

Section 2. Trailers and semi-trailers operated in combination with a for-hire motor truck or truck-tractor shall pay a license fee of ten dollars.

Section 3. The provisions of Code of Alabama 1940, Title 51, Sections 697 and 703, which conflict with this Act are repealed.

Section 4. This Act shall become effective October 1, 1961.

And the substitute was adopted.

Yeas 79; Nays 4.

Yeas:

Mr. Speaker	Cornett	Johnston (Leonard)	Pruitt
Adams	Daniel	Jones (Monroe)	Ramey
Albea	Dodd	Lee	Rast
Avery	Engel	Locke	Roberts
Bassett	Faulk	Long (Perry)	Rozelle
Bevill	Ferguson	McClendon (Chambers)	Salter
Bishop	Franklin	McCorquodale	Sessions
Brannan	Gilchrist	McLendon (Bullock)	Shumate
Branyon	Gilmer	Martin	Smith (Russell)
Brewer	Glass	Meade	Smith (St. Clair)
Britton	Grant	Merrill	Solomon
Broadfoot	Gross	Morrow	Speaks
Brooks	Grouby	Murphy	Steagall
Cabiness	Guthrie	Nettles	Sullivan
Callahan	Hain	Nichols	Taylor
Camp	Hanby	Oakley	Thomas
Casey	Hawkins	Owens	Torbert
Cates	Hearn	Perry	Turner
Cook	Jenkins	Phillips	Turnham
Copeland	Johnson (J. T. Tom)	Powell	

—79

Nays:

Messrs.	Goodwyn	Pierce	Ray
Goldthwaite			

—4

The motion of Mr. Smith (Russell) to lay on the table the motion of Mr. Oden to postpone further consideration of the bill, H. 479, as amended, until the next legislative day without losing its place on the Calendar was lost.

Yeas 38; Nays 45.

Yeas:

Mr. Speaker	Faulk	McCorquodale	Pruitt
Adams	Franklin	McLendon (Bullock)	Roberts
Brannan	Gilchrist	Morrow	Rozelle
Brewer	Gilmer	Murphy	Sessions
Camp	Grouby	Nettles	Shumate
Cook	Guthrie	Nichols	Smith (Russell)
Cornett	Hain	Oakley	Solomon
Daniel	Hanby	Phillips	Torbert
Dodd	Ingram	Powell	Turner
Engel	Jones (Monroe)		

—38

Nays:

Messrs.	Cates	Johnson (Hardaway)	Perry
Albea	Dickson	Johnston (Leonard)	Pierce
Avery	Dunn	Jones (Covington)	Ramey
Bailey	Ferguson	Lee	Ray
Barnett	Glass	Locke	Self
Bassett	Goldthwaite	Long (Lauderdale)	Smith (St. Clair)
Bishop	Gordon	Long (Perry)	Speaks
Branyon	Grant	Martin	Steagall
Britton	Gross	Merrill	Sullivan
Broadfoot	Hankins	Oden	Taylor
Brooks	Harris	Owens	Thomas
Cabiness	Harvey		

—45

And the motion of Mr. Oden to postpone further consideration of the bill, H. 479, as amended, until the next legislative day without losing its place on the Calendar was adopted.

Yeas 51; Nays 35.

Yeas:

Messrs.	Dickson	Johnson (Hardaway)	Perry
Albea	Dunn	Johnson (J. T. Tom)	Pierce
Avery	Ferguson	Johnston (Leonard)	Powell
Bailey	Glass	Jones (Covington)	Ramey
Barnett	Goldthwaite	Lee	Ray
Bassett	Gordon	Locke	Self
Bishop	Gross	Long (Lauderdale)	Sessions
Boyd	Grouby	Long (Perry)	Smith (St. Clair)
Branyon	Hankins	McClendon (Chambers)	Speaks
Britton	Harris	Martin	Steagall
Broadfoot	Harvey	Merrill	Sullivan
Brooks	Hearn	Oden	Taylor
Cabiness	Ingram	Owens	Thomas

—51

Nays:

Mr. Speaker	Camp	Dodd	Gilchrist
Adams	Cook	Engel	Gilmer
Brannan	Cornett	Faulk	Grant
Callahan	Daniel	Franklin	Guthrie

Hain
Hanby
Jones (Monroe)
McCorquodale
McLendon (Bullock)

Morrow
Murphy
Nettles
Nichols
Oakley

Phillips
Pruitt
Rozelle
Shumate
Smith (Russell)

Solomon
Torbert
Turner
Vickers

—35

BILLS POSTPONED

On motion of Mr. Smith (Russell), consideration of the bills, H. 480, H. 481 and H. 484, was postponed until the next legislative day.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Grouby the rules were suspended in order to allow all Standing Committees not already reported to report.

BILLS ON SECOND READING

Mr. Edwards, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 469. (with substitute). Regulating the practice of Ophthalmic Dispensing, providing for the examination, licensing and registration of Ophthalmic Dispensers; regulating the standards and quality of optical goods, appliances, instruments or other aids to vision; creating a Board of Examiners of Ophthalmic Dispensers, and prescribing its powers and duties; providing for the collection and disbursement of fees by such Board; providing for the suspension and revocation of licenses and review thereof: Prohibiting rebates; excluding certain persons from the provisions hereof; prohibiting certain other practices; and prescribing penalties for violation thereof.

Mr. Edwards, Chairman of the Standing Committee on Health reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1321. Amending Section 504 of Title 51—Code of Alabama 1940.

H. 1322. To Amend Sections 2, 3, and 4 of Act No. 100 (S. 68), regular session of the Legislature of 1959 approved June 24, 1959; General Acts of 1959, relating to Board of Dental Examiners of Alabama, election, qualification, term, vacancy, removal from office: Officers, seal, meetings, quorum, compensation and expenses, fees; bonds, annual reports, national affiliation.

Mr. Grouby, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1216. To Amend Title 37, Section 404, of the Code of Alabama 1940, as heretofore amended, relating to the election of mayor and aldermen and the legislative functions of municipal councils.

H. 1291. To provide that any city in the state of more than 30,000 population according to the last or any subsequent federal decennial census which is organized under a commission form of government may come within and be governed by the provisions of this act upon the adoption and publication of an ordinance by the governing body thereof electing so to do; to provide that the members of the governing body serving at the time of the adoption of such ordinance shall continue to serve until the qualification of their successors; to provide that all laws, ordinances, resolutions and appointments in force when the municipality comes under this act shall remain in force until repealed or altered; to provide for the election and term of office of commissioners; to establish the qualifications of candidates for commissioners' positions; to provide for the distribution of the powers of the municipality among the commissioners; to provide for meetings of the board of commissioners and the manner of adopting ordinances and resolutions; to provide that no franchise, lease or right shall become effective until thirty days after the granting thereof; to provide for the election of a Recorder; to require the posting of a bond by commissioners; to prohibit commissioners from holding other public offices; to prohibit any commissioner, officer or employee of the municipality from having any interest in any contract with the municipality; to bar persons related to any commissioner from holding public office; to provide punishment for violation of such prohibitions; to require the publication of financial reports of the municipality; to provide for the filling of any vacancies that may occur in the membership of the board; to provide for the salaries of commissioners and other disbursements of the municipality; to provide that meetings of the board of commissioners shall be open to the public; and to provide a manner for changing the form of government of the municipality.

Mr. Hankins, Chairman of the Standing Committee on Transportation, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 331. To provide for designating State Highway 143 as "Confederate Road."

BILLS ON THIRD READING RESUMED SPECIAL ORDER

The House again proceeded to the consideration of the special order.

And the bill:

H. 30. To appropriate from any funds in the State Treasury to the credit of the General Fund the sum of \$300,000 for the purpose of erecting, constructing and equipping a training building for the State Department of Public Safety.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 1.

Yeas:

Mr. Speaker	Albea	Bailey	Bassett
Adams	Avery	Barnett	Bevill

Bishop	Ferguson	Jones (Covington)	Pruitt
Boyd	Franklin	Jones (Monroe)	Ramey
Brannan	Gilchrist	Lee	Rast
Brewer	Gilmer	Locke	Rozelle
Britton	Glass	Long (Perry)	Salter
Brooks	Goldthwaite	McClendon (Chambers)	Self
Cabiness	Gordon	McCorquodale	Sessions
Callahan	Grant	McLendon (Bullock)	Shumate
Camp	Grouby	Meade	Smith (Russell)
Casey	Hain	Morrow	Smith (St. Clair)
Cates	Hanby	Murphy	Solomon
Cook	Hankins	Nettles	Steagall
Cornett	Harris	Nichols	Sullivan
Daniel	Hawkins	Owens	Taylor
Dickson	Ingram	Perry	Thomas
Dodd	Jenkins	Phillips	Turner
Dunn	Johnson (Hardaway)	Pierce	Turnham
Engel	Johnson (J. T. Tom)	Powell	Vickers
Faulk	Johnston (Leonard)		

—82

Nay:

Mr. Goodwyn

—1

And the bill:

H. 31. To amend further Section 10 of Act No. 585 entitled "An Act To Create a Department of Public Safety; to provide for the appointment by the Governor of the Director thereof; to provide for the salary of said Director, and that said salary may be fixed by the Governor; to authorize the creation of divisions within said department and the appointment under the provisions of the Merit System of the chiefs of said divisions and other employees; to prescribe the duties and powers of the Director of the Department of Public Safety, and to enumerate the laws which said Director shall administer and enforce; to provide for the disposition of costs, fees and mileage of Highway Patrol officers when attending courts; to provide for the police powers possessed by members of the State Highway Patrol, to provide for the payment of the compensation of officers, agents and employees of the Department of Public Safety and to provide for the payment of expenses for necessary equipment; to create a fund in the State Treasury to be known as the State Public Highway and Traffic Control Fund, and to prescribe the monies which shall be paid into said fund; to require that expenditures of the Department of Public Safety shall be limited to amounts appropriated by the Legislature out of the State Public Highway and Traffic Control Fund; to provide for the liability of members of the State Highway Patrol on their official bonds; to prescribe an arrest fee for Highway Patrol officers, and the payment of said fee into the State Public Highway and Traffic Control Fund; to provide that any unencumbered balance in the State Public Highway and Traffic Control Fund at the end of any two year drivers' licensing period shall be paid into the Public Road and Bridge Fund of the Highway Department; to require the State Comptroller to record the source of funds paid into the State Public Highway and Traffic Control Fund; to authorize the Department of Public Safety to promulgate rules and regulations having the force and effect of law and to provide for a penalty for the violation thereof; to transfer all monies or funds in the Highway Patrol Fund to the State Public Highway and Traffic Control Fund, and to authorize any appropriation heretofore made from said Highway Patrol Fund to be paid out of the said State

Public Highway and Traffic Control Fund; and to provide for the effective date of this Act," approved September 11, 1953, as amended by Act No. 44, approved June 7, 1955.

Was taken up.

Mr. Ferguson offered the following amendment to the bill, H. 31:

In section 10 strike \$5.00 and substitute in lieu thereof \$2.00.

On motion of Mr. Smith (Russell) the amendment offered by Mr. Ferguson was laid upon the table.

Yeas 59; Nays 18.

Yeas:

Mr. Speaker	Engel	Jenkins	Ray
Adams	Faulk	Johnson (Hardaway)	Roberts
Bailey	Gilchrist	Jones (Monroe)	Rozelle
Bassett	Gilmer	McCorquodale	Salter
Bevill	Glass	McLendon (Bullock)	Sessions
Boyd	Goodwyn	Meade	Shumate
Brannan	Grant	Morrow	Smith (Russell)
Britton	Gross	Nichols	Smith (St. Clair)
Casey	Grouby	Owens	Solomon
Cook	Guthrie	Perry	Steagall
Copeland	Hain	Phillips	Sullivan
Cornett	Hanby	Pierce	Thomas
Daniel	Harvey	Powell	Turner
Dickson	Hawkins	Pruitt	Vickers
Dunn	Ingram	Rast	

—59

Nays:

Messrs.	Callahan	Franklin	Long (Perry)
Albea	Camp	Goldthwaite	Nettles
Avery	Cates	Harris	Oakley
Broadfoot	Dodd	Johnson (J. T. Tom)	Ramey
Cabiness	Ferguson	Long (Lauderdale)	

—18

Mr. Ferguson offered the following amendment to the bill, H. 31:

Amend H. B. 31 by adding the following, "Provided, however, that this act shall have no force and effect after November 1, 1962.

On motion of Mr. Smith (Russell) the amendment offered by Mr. Ferguson was laid upon the table.

Yeas 60; Nays 21.

Yeas:

Mr. Speaker	Boyd	Callahan	Daniel
Adams	Brannan	Casey	Dickson
Bailey	Brewer	Cook	Dunn
Bassett	Britton	Copeland	Engel
Bevill	Brooks	Cornett	Faulk

Gilchrist	Johnson (<i>Hardaway</i>)	Phillips	Shumate
Gilmer	Jones (<i>Monroe</i>)	Pierce	Smith (<i>Russell</i>)
Goodwyn	McClendon (<i>Chambers</i>)	Powell	Smith (<i>St. Clair</i>)
Grant	McCorquodale	Pruitt	Solomon
Gross	McLendon (<i>Bullock</i>)	Rast	Steagall
Grouby	Martin	Ray	Sullivan
Guthrie	Meade	Roberts	Thomas
Hain	Merrill	Rozelle	Torbert
Ingram	Nichols	Salter	Turnham
Jenkins	Oden	Sessions	Vickers

—60

Nays:

Messrs.	Camp	Harris	Morrow
Albea	Cates	Johnson (<i>J. T. Tom</i>)	Murphy
Avery	Dodd	Johnston (<i>Leonard</i>)	Perry
Barnett	Ferguson	Jones (<i>Covington</i>)	Speaks
Broadfoot	Franklin	Long (<i>Perry</i>)	Turner
Cabiness	Goldthwaite		

—21

Mr. Ferguson offered the following amendment to the bill, H. 31:

Amd. H. B. 31 by adding the following:

"Provided, however, that this act shall have no force and effect after November 1, 1963.

On motion of Mr. Smith (*Russell*) the amendment offered by Mr. Ferguson was laid upon the table.

Yeas 55; Nays 26.

Yeas:

Mr. Speaker	Dunn	Ingram	Roberts
Adams	Engel	Jenkins	Rozelle
Bailey	Faulk	Jones (<i>Monroe</i>)	Salter
Bassett	Gilchrist	Locke	Shumate
Bevill	Gilmer	McClendon (<i>Chambers</i>)	Smith (<i>Russell</i>)
Boyd	Glass	McCorquodale	Smith (<i>St. Clair</i>)
Brannan	Goodwyn	McLendon (<i>Bullock</i>)	Solomon
Branyon	Grant	Meade	Steagall
Britton	Grouby	Nichols	Sullivan
Casey	Guthrie	Phillips	Thomas
Cook	Hain	Pierce	Torbert
Copeland	Hanby	Pruitt	Turnham
Cornett	Hankins	Rast	Vickers
Dickson	Hearn	Ray	

—55

Nays:

Messrs.	Callahan	Goldthwaite	Long (<i>Perry</i>)
Albea	Camp	Gross	Nettles
Avery	Cates	Johnson (<i>Hardaway</i>)	Perry
Barnett	Daniel	Johnson (<i>J. T. Tom</i>)	Powell
Brewer	Dodd	Johnston (<i>Leonard</i>)	Speaks
Broadfoot	Ferguson	Jones (<i>Covington</i>)	Turner
Cabiness	Franklin	Long (<i>Lauderdale</i>)	

—26

Mr. Ferguson offered the following amendment to the bill, H. 31:

Strike \$5.00 and substitute \$3.00 in lieu thereof.

On motion of Mr. Smith (Russell) the amendment offered by Mr. Ferguson was laid upon the table.

Yeas 53; Nays 32.

Yeas:

Mr. Speaker	Gilchrist	Jenkins	Ray
Adams	Gilmer	Jones (Monroe)	Roberts
Bailey	Glass	Locke	Rozelle
Bassett	Goodwyn	McCorquodale	Salter
Bevill	Grant	McLendon (Bullock)	Shumate
Boyd	Gross	Meade	Smith (Russell)
Brannan	Grouby	Nichols	Smith (St. Clair)
Britton	Guthrie	Oden	Solomon
Casey	Hain	Phillips	Steagall
Cook	Hanby	Pierce	Thomas
Cornett	Harvey	Powell	Torbert
Dunn	Hawkins	Pruitt	Turnham
Engel	Ingram	Rast	Vickers
Faulk			

—53

Nays:

Messrs.	Cabiness	Franklin	Long (Perry)
Albea	Callahan	Goldthwaite	Merrill
Avery	Camp	Harris	Morrow
Barnett	Cates	Johnson (Hardaway)	Nettles
Bishop	Daniel	Johnston (Leonard)	Perry
Branyon	Dickson	Jones (Covington)	Speaks
Brewer	Dodd	Lee	Sullivan
Broadfoot	Ferguson	Long (Lauderdale)	Turner
Brooks			

—32

On motion of Mr. Smith (Russell) the motion of Mr. Ferguson to postpone further consideration of the bill, H. 31, until the next legislative day without losing its place on the Calendar was laid upon the table.

Yeas 54; Nays 33.

Yeas:

Mr. Speaker	Daniel	Grouby	Nichols
Adams	Dunn	Hain	Oden
Bailey	Engel	Hanby	Phillips
Bassett	Faulk	Harvey	Pierce
Bevill	Franklin	Ingram	Powell
Boyd	Gilchrist	Jones (Covington)	Pruitt
Brannan	Gilmer	Jones (Monroe)	Rast
Branyon	Glass	McCorquodale	Ray
Casey	Goodwyn	McLendon (Bullock)	Roberts
Copeland	Grant	Meade	Rozelle
Cornett	Gross	Murphy	Sessions

Shumate	Solomon	Torbert	Turnham
Smith (Russell)	Steagall	Turner	Vickers
Smith (St. Clair)	Thomas		

—54

Nays:

Messrs.	Callahan	Johnson (Hardaway)	Merrill
Albea	Camp	Johnson (J. T. Tom)	Morrow
Avery	Cates	Johnston (Leonard)	Nettles
Barnett	Dickson	Lee	Oakley
Bishop	Dodd	Locke	Perry
Brewer	Ferguson	Long (Lauderdale)	Ramey
Britton	Goldthwaite	Long (Perry)	Speaks
Broadfoot	Harris	Martin	Sullivan
Cabiness	Jenkins		

—33

And said bill, H. 31, was then read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 67; Nays 23.

Yeas:

Mr. Speaker	Engel	Jones (Covington)	Ray
Adams	Faulk	Jones (Monroe)	Rozelle
Bailey	Franklin	McCorquodale	Salter
Bassett	Gilchrist	McLendon (Bullock)	Sessions
Bevill	Gilmer	Martin	Shumate
Boyd	Glass	Meade	Smith (Russell)
Brannan	Goodwyn	Murphy	Smith (St. Clair)
Branyon	Grant	Nettles	Solomon
Britton	Gross	Nichols	Steagall
Brooks	Grouby	Oakley	Sullivan
Casey	Guthrie	Oden	Taylor
Cook	Hain	Perry	Thomas
Copeland	Hanby	Phillips	Torbert
Cornett	Harvey	Pierce	Turner
Daniel	Hearn	Powell	Turnham
Dickson	Ingram	Pruitt	Vickers
Dunn	Jenkins	Rast	

—67

Nays:

Messrs.	Broadfoot	Ferguson	Lee
Albea	Cabiness	Goldthwaite	Long (Lauderdale)
Avery	Callahan	Harris	Long (Perry)
Barnett	Camp	Johnson (Hardaway)	Merrill
Bishop	Cates	Johnson (J. T. Tom)	Morrow
Brewer	Dodd	Johnston (Leonard)	Speaks

—23

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 87. Relative to the death of Edward O. Jones of Lee County.

Also:

H. J. R. 89. Commending the Horse Pens 40 organization for promoting the recreational and economic development of the State.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House Amendment to the following Senate Bill:

S. 477. To amend further Section 713 of Title 7, Code of Alabama 1940, which relates to the printing and publishing of legal advertisements.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 91. Urging the Federal Communications Commission to permit Montgomery to have VHF television.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 90. Relative to adjournment today to Friday, August 25, 1961.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 104. To provide expense allowances for members of the board of

revenue, court of county commissioners, or other like county governing body of all counties having a population of not less than 15,500 nor more than 16,300, according to the last or any subsequent federal decennial census.

Also:

H. 105. To repeal Act No. 28, S. 103, approved June 4, 1959, entitled, "An Act to provide expense allowances for members of the board of revenue, court of county commissioners, or other like county governing body of all counties having a population of not less than 19,200 nor more than 20,000, according to the last or any subsequent federal decennial census," (Acts of Alabama 1959, vol. I, p. 432).

Also:

H. 110. To repeal Act No. 55, H. 357, approved June 17, 1957, entitled, "An Act to regulate further the duties and compensation of members of the court of county commissioners, board of revenue or like governing body of all counties having a population of not less than 16,075 nor more than 16,475, according to the last or any subsequent federal decennial census," (Acts of Alabama 1957, vol. I, p. 97).

Also:

H. 568. To regulate further payment of compensation to deputy sheriffs by all counties having populations of not less than 15,500 nor more than 16,200, according to the 1960 or any subsequent federal decennial census; authorizing the court of county commissioners, board of revenue or other like governing body of any such county to pay the compensation of deputy sheriffs from the county public highway and traffic fund.

Also:

H. 1044. To provide for coverage of certain employees of Walker County under the Unemployment Compensation Act.

Also:

H. 1057. To direct and require the commissioner of revenue and the state department of revenue to collect any sales and use taxes now or hereafter levied in the town of Berry, Fayette County, under the provisions of any ordinance or resolution duly promulgated and adopted by the governing body of said town; to prescribe the powers, duties, and authority of the commissioner of revenue, the state department of revenue, and the comptroller with respect to the method or procedure for collecting such taxes and remitting the proceeds thereof.

Also:

H. 983. To alter and extend the boundaries of the City of Birmingham.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 980. To amend Act No. 477, H. 861, Regular Session 1955 titled "An Act to provide an additional expense allowance for the circuit judges of the Eighth Judicial Circuit; and to provide for the manner of payment of this allowance" (Acts 1955, vol. II, p. 1084).

Also:

H. 979. To amend further Section 3 of Act No. 464, H. 875, Regular Session 1939, an act fixing the compensation or salary to be paid the tax collector of Morgan County and providing him clerical assistance (Local Acts of Alabama 1939, p. 278).

Also:

H. 978. To amend further Section 1 of Act No. 64, H. 259, Regular Session 1947, an act providing for the appointment of a deputy clerk for the circuit court of Morgan County (Local Acts of Alabama 1947, p. 45).

Also:

H. 977. To amend further Section 4 of Act No. 70, H. 336, Regular Session 1943, an act placing the judge of probate of Morgan County on a salary basis and providing for clerical assistance (Local Acts of Alabama 1943, p. 34).

Also:

H. 975. To abolish the office of commissioner of public schools of Morgan County and re-establish the office of county superintendent of education; repealing Act No. 88, H. 155, 1st Special Session 1956 and all conflicting laws.

Also:

H. 974. To amend Section 11 of the act of the Legislature of Alabama, approved March 9, 1939, by which the Board of Revenue and Control of Morgan County, Alabama, was created, being Act No. 129 of the regular session of the Legislature of Alabama of 1939, (Local Acts 1939, page 70 et seq.), as amended by Act No. 291, Local Acts 1943, page 172, approved June 28, 1943.

Also:

H. 973. To amend further Section 1 of Act No. 68, H. 263, Regular Session 1947, an act providing for the appointment of a deputy register for the circuit court of Morgan County (Local Acts of Alabama 1947, p. 51).

Also:

H. 972. To amend further Section 3 of Act No. 361, H. 878, Regular Session 1939, an act fixing the compensation or salary to be paid the tax assessor of Morgan County and providing clerical assistance for his office (Local Acts of Alabama 1939, p. 248).

Also:

H. 959. To amend further an act approved February 18, 1927, entitled "An Act to provide additional duties and confer additional powers on each

member of the Court of County Commissioners of Talladega County, Alabama, and supervising the construction, maintenance and upkeep of the roads and bridges in his district and to fix the salary and compensation of said commissioners" (Act No. 62, H. 181, Local Acts 1927, P. 25).

Also:

H. 949. For the relief of A. L. Gordon; authorizing the board of revenue, court of county commissioners, or other like governing body of Lawrence County to appropriate county funds for that purpose.

Also:

H. 1052. To authorize and empower the Board of Revenue, Court of County Commissioners, or the like governing body of Talladega County, in its discretion, to provide branch offices in the City of Sylacauga for the use of the Judge of Probate, Tax Assessor, Tax Collector, Sheriff, or their clerks or deputies, or other officers of Talladega County, in the performance of their official duties and to authorize and empower the governing body of Talladega County to furnish office space, clerical assistants, equipment and supplies necessary for the proper and efficient operation of such branch offices and to adopt rules and regulations governing the operation of such branch offices and to provide for an effective date upon approval in a countywide election.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 193. Relating to state regulation and supervision of the fluid milk industry; amending Code of Alabama 1940, Title 22, Sections 206, 207, 208, 213, 214, 215, 217, 221, 222, 223, and 224 to change the basis and rate and manner of payment of license fees by milk producers, milk distributors, producer-distributors, and cooperating marketing associations; to bring bob-tailers of milk or milk products and milk cooling stations within the regulatory jurisdiction of the milk control board and prescribe the license fees to be paid by bob-tailers and cooling stations; to authorize the milk control board to fix the salary of the executive secretary of the board within a prescribed maximum; to increase the compensation of the members of the milk control board; to provide for requisitioning board funds.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Long (Perry) the House concurred in and adopted the Senate amendment to the bill, H. 193, said Senate amendment being as follows:

Amend Section 1, H. B. 193 by deleting the paragraph 'Milk Dealer' and inserting in lieu thereof the following:

"'Milk dealer' means any person who purchases, buys, sells, handles, or produces milk in any way except for consumption where said milk is not to be resold or otherwise distributed. Each person, corporation, partnership or association, which, if a natural person, shall be a milk dealer within the meaning of this chapter, and any subsidiary or affiliate of such corporation similarly engaged shall be deemed a milk dealer within the meaning of this definition. A hotel, lunchstand or restaurant which sells milk intended for consumption only upon the premises where sold; or a wholesale producer who sells his entire production to distributors; or any firm, corporation, association, or partnership owned and controlled entirely by wholesale producers who sell the entire production to distributors or processors; or a person who buys milk for processing purposes only and who does not sell or distribute any milk for fluid milk consumption shall not be deemed a milk dealer."

Further amend Section 1, H. B. 193 by deleting the paragraph 'Cooling Station' and inserting in lieu thereof the following:

"'Cooling Station' means a raw milk assembly point which, as principal or agent for another person, received direct from producers, raw unprocessed milk and stores, cools, or holds such milk for shipment or sale to other facilities, either controlled or uncontrolled, within or without the jurisdiction of the Alabama State Milk Control Board. A person, firm or corporation which in any manner processes milk or packages it in any type container except a container of the type customarily used for bulk shipment of milk, or any firm, corporation, association or partnership owned and controlled entirely by wholesale producers who sell the entire production to distributors or processors, shall not be deemed a 'cooling station' within the meaning of this chapter. Nothing in the foregoing definition shall prevent a licensed cooling station from performing the routine functions of weighing, testing, sampling, and grading all milk so handled."

And, further amend Section 1, H. B. 193 by adding the following paragraph after the paragraph entitled "Cooling Station:"

"'Cooperative Marketing Association' as used in this Chapter means a person who purchases, accepts or receives milk for the purpose of putting such milk in bottles or other unit containers in which same is designed to be sold, or for the purpose of cooling, pasteurizing, standardizing, or otherwise processing such milk for fluid milk consumption; or who buys milk from another producer, producer-distributor or distributor for the purpose of selling, jobbing or distributing such milk at wholesale or retail for any one or more such purposes."

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Britton	Dickson	Grant
Adams	Broadfoot	Edwards	Gross
Albea	Brooks	Engel	Grouby
Avery	Cabiness	Faulk	Guthrie
Bailey	Callahan	Ferguson	Hain
Bassett	Camp	Franklin	Hanby
Bevill	Cates	Gilchrist	Hawkins
Bishop	Cook	Gilmer	Hearn
Boyd	Copeland	Glass	Johnson (Hardaway)
Brannan	Cornett	Goldthwaite	Johnston (Leonard)
Brewer	Daniel	Gordon	Lee

Locke	Nettles	Ramey	Steagall
Long (Perry)	Nichols	Rast	Sullivan
McCorquodale	Oakley	Ray	Taylor
McLendon (Bullock)	Phillips	Rozelle	Thomas
Martin	Pierce	Shumate	Torbert
Merrill	Powell	Solomon	Turner
Murphy	Pruitt	Speaks	Turnham

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown, and as amended has passed the following House Bill and returns same herewith to the House:

H. 459. To amend Section 445 of Title 37, Code of Alabama 1940, relating to municipal audits and persons by whom such audits may be compiled.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Oakley the House concurred in and adopted the Senate amendment to the bill, H. 459, said Senate amendment being as follows:

Amend House Bill 459 by striking Section One thereof and inserting in lieu thereof the following:

Section 1. "In cities and towns, the Mayor, at least once a year, shall appoint an independent public accountant or the Department of Examiners of Public Accounts to conduct an examination in accordance with generally accepted auditing standards of all books and accounts of the city or town since the preceding examination, and to make a full report thereof in writing, under oath, to be submitted to the council at its first meeting after the completion of such report, and the same shall be spread upon the minutes of the council. For his services said independent public accountant or the Department of Examiners of Public Accounts shall be paid such sum as may be agreed upon."

Yeas 77; Nays 1.

Yeas:

Mr. Speaker	Brannan	Copeland	Franklin
Adams	Branyon	Cornett	Gilchrist
Albea	Brewer	Daniel	Gilmer
Avery	Britton	Dickson	Glass
Bailey	Brooks	Dodd	Goldthwaite
Barnett	Cabiness	Dunn	Gordon
Bassett	Callahan	Edwards	Grant
Bevill	Casey	Engel	Gross
Bishop	Cates	Faulk	Grouby
Boyd	Cook	Ferguson	Guthrie

Hain	McCorquodale	Pierce	Smith (St. Clair)
Hanby	McLendon (Bullock)	Powell	Solomon
Harris	Martin	Pruitt	Speaks
Hawkins	Merrill	Ramey	Steagall
Hearn	Murphy	Rast	Sullivan
Johnson (Hardaway)	Nettles	Ray	Taylor
Johnston (Leonard)	Nichols	Rozelle	Thomas
Jones (Corington)	Oakley	Sessions	Turner
Locke	Phillips	Shumate	Turnham
Long (Perry)			

—77

Nay:

Mr. Smith (Russell)

—1

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. deGraffenried:

S. J. R. 41. WHEREAS, the Alabama State Hospitals, sometimes referred to as "Bryce Hospital, is presently engaged in the observing of its Centennial, and

WHEREAS, the first patient was admitted to Bryce Hospital on the 5th day of April, 1861 and during its 100 years of existence, the Hospital has grown from a patient load of one to 7,517 in 1961, and

WHEREAS, during its 100 years of existence, the hospital has only had four superintendents, namely:

Dr. Peter Bryce, Dr. J. T. Searcy, Dr. W. D. Partlow and Dr. J. S. Tarwater, the present superintendent: and

WHEREAS, the Hospital has over the years, grown from a place of detention to an institution of modern care and treatment, and has developed as rapidly as finances would permit and has been recognized all over the United States as a modern and up to date institution for the treatment and care of the mentally ill; and

WHEREAS, the Legislature of Alabama has watched with pride, the progress made by the Alabama State Hospitals and does desire to now honor the Hospitals and the four superintendents:

NOW, THEREFORE, BE IT RESOLVED by the Legislature of Alabama, both Houses thereof concurring, that we do now congratulate the Alabama State Hospitals on this 100th Anniversary and we do honor and pay tribute to the three former superintendents who have gone on to their reward, and to Dr. J. S. Tarwater, the present superintendent, we offer our heartfelt thanks for a job well done and wish him many more years of successful service.

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to Dr. J. S. Tarwater of the Bryce Hospital and a copy be forwarded to each of the members of the Board of Trustees of the Hospitals.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Callahan the rules were suspended and the House concurred in and adopted the S. J. R. 41 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Kendall, Robison, Andrews, Cooper, Samford, Turner, Golson and Jones:

S. J. R. 40. WHEREAS, the Federal Communications Commission proposes to require all television stations in the Montgomery, Alabama, area to operate on the limited coverage UHF (ultra high frequency) band and thus eliminate the area's only wide range VHF (very high frequency) station, WSFA-TV, Channel 12; and

WHEREAS, Channel 12 has a long record of faithful and conscientious service to the people of Central and South Alabama, offering viewers a great variety of programs in the public interest—such as news broadcasts, timely interviews, public information shows and special events—to keep residents of this area continually posted on important news, weather bulletins and issues of the day, including events occurring at the State Capitol; and

WHEREAS, the Federal Communications Commission in 1952 acted in behalf of some 250,000 families of this area in allocating a maximum range VHF channel to Montgomery and Channel 12 has been on the air since 1954 making good use of this channel allocation and as a "trustee" of this channel protecting the right of Central and South Alabama citizens to this VHF television service; and

WHEREAS, some 200,000 homes in this area which presently receive Montgomery-originated television programs stand to lose this service if Channel 12 is abolished and a weak signal UHF station substituted, denying all television to many homes and curtailing service in more than 20 Alabama counties; and

WHEREAS, the removal of Montgomery's only VHF station would deprive many thousands of Central and South Alabama residents of television service from their State Capitol—when every other State Capitol in the United States has high power VHF service—and leave this area to be served by stations at Columbus, Georgia; Albany, Georgia; Panama City, Florida; Pensacola, Florida, and Meridian, Mississippi, all stations which are hardly interested in the affairs of state in Alabama; and

WHEREAS, other television stations of this area are also opposed to the recent proposal of the Federal Communications Commission, viewing this action as detrimental to the established Montgomery area market and contrary to the public interest; and

WHEREAS, the Governor of Alabama, Honorable John Patterson; our United States Senators, Honorable Lister Hill and Honorable John Sparkman, our Congressmen and many others have joined in protesting the unwarranted action of the Federal Communications Commission in proposing to eliminate Montgomery's only VHF outlet:

NOW, THEREFORE, BE IT RESOLVED BY ALABAMA STATE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, that the Legislature formally go on record to deplore the proposed ruling of the Federal Communications Commission, to urge the Commission to reconsider its action and to strongly recommend that Montgomery remain an outlet for high quality VHF television.

BE IT FURTHER RESOLVED that copies of this Resolution be forwarded by the Secretary of the Senate to the Chairman of the Federal Communications Commission, Honorable Newton Minow, and to each of the Members of the Commission and to the United States Senators and each of the Congressmen from the State of Alabama.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The S. J. R. 40 set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Andrews, Wilson, Eddins, Robison, Godfrey, Porter, Caffey, Leonard, Wyatt, Green, Graham, Samford, Cooper, Turner, Golson, Crawford, Farmer, Word, Clark, Hines, Barnett, Shelton, Kendall, Berryman, Archer, DeGraffenried, Dumas, Gaither, Moses, Webb and Haltom:

S. J. R. 39. WHEREAS, Dean A. B. Moore, now retired, rendered a great service to the young men and women of the State of Alabama while serving over a period of 35 years as head of the History Department and Dean of the Graduate School of the University of Alabama; and,

WHEREAS, his book on Alabama History has constituted the official textbook of all colleges of Alabama over a long period of years; and,

WHEREAS, Dean Moore has won national recognition as Executive Director of the Alabama Civil War Centennial Commission; and,

WHEREAS, the Legislature of Alabama appreciates the splendid services that Dean Moore has rendered to our people; now therefore,

BE IT RESOLVED BY THE SENATE, the HOUSE CONCURRING, that the Legislature of Alabama does hereby pay tribute to a great Alabamian for the invaluable service which he has rendered to our people.

BE IT FURTHER RESOLVED that a copy of this resolution be spread on the Journals of both Houses, that a copy be sent to Dean Moore, and a copy be placed in the hands of the public press.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Roberts the rules were suspended and the House concurred in and adopted the S. J. R. 39 set out in the above and foregoing Message from the Senate.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Cook	Hain	Murphy
Adams	Copeland	Hanby	Nettles
Albea	Cornett	Hankins	Nichols
Bailey	Daniel	Harris	Oakley
Barnett	Dickson	Harvey	Perry
Bassett	Dunn	Hawkins	Phillips
Bevill	Edwards	Hearn	Pierce
Bishop	Engel	Ingram	Powell
Boyd	Faulk	Jenkins	Pruitt
Brannan	Ferguson	Johnson (Hardaway)	Ray
Branyon	Franklin	Johnson (J. T. Tom)	Rozelle
Brewer	Gilchrist	Johnston (Leonard)	Smith (Russell)
Britton	Gilmer	Jones (Covington)	Solomon
Broadfoot	Glass	Lee	Speaks
Brooks	Goldthwaite	Locke	Steagall
Cabiness	Gordon	Long (Perry)	Sullivan
Callahan	Grant	McClendon (Chambers)	Taylor
Camp	Gross	McCorquodale	Thomas
Casey	Grouby	McLendon (Bullock)	Torbert
Cates	Guthrie	Martin	Turnham

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration.

By Mr. Archer:

S. J. R. 38. WHEREAS the University of Alabama Research Institute at Huntsville is intended to serve the needs and purposes of the entire State of Alabama, and

WHEREAS the research and educational program needs of the Federal agencies in the Huntsville area far exceed the potential of any one higher institution in the state or region, and

WHEREAS Auburn University and other institutions of higher learning in the South have conducted and are conducting extensive programs of research and instruction on behalf of and in cooperation with the several Federal agencies in the Huntsville area, and

WHEREAS it is the stated intention of the President and the Board of Trustees of the University of Alabama that the facilities and programs of the Research Institute at Huntsville shall when possible and appropriate be made available to Auburn University and other institutions of higher learning,

NOW THEREFORE BE IT RESOLVED BY THE SENATE, THE HOUSE CONCURRING, that it is the intent of the Legislature of the State of Alabama that any facilities constructed at the Research Institute of the University of Alabama at Huntsville shall when possible and appropriate be made available to Auburn University and other institutions of higher learning in the State, and that any programs established at the Research Institute shall, when possible and appropriate invite the full participation and cooperation of Auburn University and other higher institutions in the State which are now or may in the future conduct programs of research and education in the interest of the State and of Federal agencies in the Huntsville area.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Roberts the rules were suspended and the House concurred in and adopted the S. J. R. 38 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown, and as amended, has passed the following House Bill and returns same herewith to the House:

H. 460. To amend Section 353, Title 17 of the Code of Alabama 1940, which relates to numbering places in primary elections.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Murphy the House concurred in and adopted the Senate amendment to the bill, H. 460, said Senate amendment being as follows:

Strike from said bill Section 2 in its entirety and insert in lieu thereof the following:

"Section 2. This Act shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming a law."

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Cook	Hanby	Perry
Adams	Copeland	Hankins	Phillips
Albea	Cornett	Harris	Pierce
Bailey	Daniel	Harvey	Powell
Barnett	Dickson	Jenkins	Pruitt
Bassett	Dunn	Johnson (Hardaway)	Ramey
Bevill	Engel	Johnson (J. T. Tom)	Rast
Bishop	Faulk	Johnston (Leonard)	Ray
Boyd	Ferguson	Lee	Rozelle
Brannan	Gilchrist	Locke	Salter
Branyon	Gilmer	Long (Perry)	Smith (Russell)
Brewer	Glass	McClendon (Chambers)	Solomon
Britton	Goldthwaite	McCorquodale	Speaks
Broadfoot	Goodwyn	McLendon (Bullock)	Steagall
Brooks	Gordon	Martin	Sullivan
Cabiness	Grant	Meade	Thomas
Callahan	Gross	Murphy	Torbert
Camp	Grouby	Nettles	Turner
Casey	Guthrie	Nichols	Turnham
Cates	Hain	Oakley	Vickers

—80

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown, and as amended has passed the following House Bill and returns same herewith to the House:

H. 690. To propose an amendment to the Constitution relating to the levy and collection of special property taxes for educational purposes in Lauderdale County.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Broadfoot the House concurred in and adopted the Senate amendment to the bill, H. 690, said Senate amendment being as follows:

AMENDMENT TO H. B. 690

In Section 1, strike out the words and figures "If any proposal to levy a tax hereunder is defeated in any election, subsequent elections thereon may be held at any time." and insert in lieu thereof the following:

"If any proposal to levy a tax hereunder is defeated in any election, subsequent elections may be held at intervals of not less than two years.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Cornett	Harris	Perry
Adams	Daniel	Harvey	Phillips
Albea	Dickson	Ingram	Pierce
Bailey	Dodd	Jenkins	Powell
Barnett	Dunn	Johnson (Hardaway)	Pruitt
Bassett	Edwards	Johnson (J. T. Tom)	Ramey
Bevill	Engel	Johnston (Leonard)	Rast
Bishop	Faulk	Jones (Covington)	Ray
Boyd	Franklin	Lee	Rozelle
Brannan	Gilmer	Locke	Salter
Branyon	Glass	Long (Perry)	Smith (Russell)
Brewer	Goldthwaite	McClendon (Chambers)	Solomon
Britton	Goodwyn	McCorquodale	Speaks
Broadfoot	Gordon	McLendon (Bullock)	Steagall
Brooks	Grant	Martin	Sullivan
Cabiness	Gross	Murphy	Taylor
Callahan	Grouby	Nettles	Thomas
Camp	Guthrie	Nichols	Torbert
Casey	Hain	Oakley	Turner
Cates	Hanby	Oden	Turnham
Cook	Hankins	Owens	Vickers
Copeland			

—85

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which it originated, House Bill No. 396, with the following suggested executive amendments:

In Section 1 of the bill, strike out the words "The county board of equalization shall appoint its chairman." and insert in lieu thereof the following words: "The Commissioner of the State Department of Revenue shall designate a chairman of the Board of Equalization on or prior to the first meeting of the board each year, said chairman to act for the ensuing year".

In Section 5 of the bill, add thereto the following words: "Nothing in this act shall be construed so as to limit the power of the Commissioner of Revenue to set aside final assessments."

Passage of this bill without these amendments would place Etowah County and its Board of Equalization in a position differing from every one of the remaining counties. The first suggested change is necessary in order to not only bring this county in line with all the other counties but also to give an independent authority the duty to pass on the efficiency of the administration of the board at the end of each year's activity.

The second suggested amendment is necessary not only to bring Etowah County in line with the situation in each of the other counties but to pre-

serve an administrative review of the acts of the board in each year. While it is quite foreseeable that this power may never actually be used it is obvious that as long as the power remains it will have its effect on the fairness and efficiency of a Board of Equalization.

If the above suggested amendments are adopted they will remove my objection to the bill.

Respectfully
JOHN PATTERSON,
Governor of Alabama.

August 4, 1961.

GOVERNOR'S MESSAGE

On motion of Mr. Hanby consideration of the Governor's proposed executive amendments to the bill, H. 396, was postponed until the next legislative day.

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, House Bill No. 567, with the following suggested Executive Amendment:

In Section 9 of this bill, strike out the words

"This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law."
and insert in lieu thereof the following words:

"This Act shall become effective on October 1, 1961 upon its passage and approval by the Governor or upon its otherwise becoming a law."

This amendment is necessary in order to grant the municipalities ample time to adopt or amend the necessary municipal ordinances and to give the Department of Revenue ample time in which to prepare for the administration of the bill.

The adoption of the above suggested amendment will remove my objection to the bill.

Respectfully,
JOHN PATTERSON,
Governor

GOVERNOR'S MESSAGE

The House concurred in and adopted the amendment proposed by His

Excellency, the Governor, to the bill, H. 567, said Governor's amendment being set out in the above and foregoing Message from the Governor.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Daniel	Harvey	Pierce
Adams	Dickson	Hawkins	Powell
Albea	Dodd	Hearn	Pruitt
Avery	Dunn	Ingram	Ramey
Bailey	Edwards	Jenkins	Rast
Barnett	Engel	Johnson (Hardaway)	Ray
Bassett	Faulk	Johnson (J. T. Tom)	Roberts
Bevill	Ferguson	Johnston (Leonard)	Rozelle
Bishop	Franklin	Jones (Covington)	Salter
Boyd	Gilchrist	Lee	Sessions
Brannan	Gilmer	Locke	Shumate
Branyon	Glass	Long (Perry)	Smith (Russell)
Britton	Goldthwaite	McClendon (Chambers)	Smith (St. Clair)
Brooks	Goodwyn	McCorquodale	Solomon
Cabiness	Gordon	McLendon (Bullock)	Speaks
Callahan	Grant	Martin	Steagall
Camp	Gross	Murphy	Sullivan
Casey	Grouby	Nettles	Taylor
Cates	Guthrie	Nichols	Thomas
Cook	Hain	Oakley	Torbert
Copeland	Hanby	Owens	Turner
Cornett	Harris	Phillips	Vickers

—88

Which was a majority of the whole number elected to the House.

And said bill:

H. 567. To provide for collection and enforcement by the state department of revenue of sales and use taxes levied or assessed by the city of Geneva, Geneva County.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Brooks	Faulk	Harris
Adams	Cabiness	Ferguson	Harvey
Albea	Callahan	Franklin	Hawkins
Avery	Camp	Gilchrist	Hearn
Bailey	Cates	Gilmer	Ingram
Barnett	Cook	Glass	Jenkins
Bassett	Copeland	Goldthwaite	Johnson (Hardaway)
Bevill	Cornett	Goodwyn	Johnson (J. T. Tom)
Bishop	Daniel	Grant	Johnston (Leonard)
Boyd	Dickson	Gross	Jones (Covington)
Brannan	Dodd	Grouby	Lee
Branyon	Dunn	Guthrie	Locke
Britton	Edwards	Hain	Long (Perry)
Broadfoot	Engel	Hanby	McClendon (Chambers)

McCorquodale	Phillips	Rozelle	Steagall
McLendon (Bullock)	Pierce	Salter	Sullivan
Martin	Powell	Sessions	Taylor
Murphy	Pruitt	Shumate	Torbert
Nettles	Ramey	Smith (Russell)	Turner
Nichols	Rast	Smith (St. Clair)	Turnham
Oakley	Ray	Solomon	Vickers
Owens	Roberts	Speaks	

—87

Which was a majority of the whole number elected to the House.

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this Bill originated, House Bill 608, with the following suggested Executive Amendment:

In Section 3 of the bill, strike out the words

“but such charge shall not, in any event, exceed two per cent of the total amount of special county taxes collected hereunder within the county.” and insert in lieu thereof the following words:

“but such charge shall not, in any event, exceed ten per cent of the total amount of special county taxes collected hereunder within the county.”

This amendment is necessary in view of the fact that the tax rate of one per cent in a county the size of Blount County would produce a relatively small amount. A two per cent collection cost of the figure produced would possibly not reimburse the State for its cost of collection and it would be unconstitutional for the State Department of Revenue to use a part of its State appropriation for the enforcement of a local measure.

The adoption of the above suggested amendment will remove my objection to the bill.

Respectfully,
JOHN PATTERSON,
Governor

GOVERNOR'S MESSAGE

The House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, H. 608, said Governor's amendment being set out in the above and foregoing Message from the Governor.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Albea	Bailey	Bassett
Adams	Avery	Barnett	Bevill

Bishop	Faulk	Johnson (Hardaway)	Pruitt
Boyd	Ferguson	Johnson (J. T. Tom)	Ramey
Brannan	Franklin	Johnston (Leonard)	Rast
Branyon	Gilchrist	Lee	Ray
Britton	Gilmer	Locke	Roberts
Broadfoot	Glass	Long (Perry)	Rozelle
Brooks	Goodwyn	McClendon (Chambers)	Self
Cabiness	Gordon	McCorquodale	Sessions
Callahan	Grant	McLendon (Bullock)	Shumate
Camp	Gross	Martin	Smith (Russell)
Cates	Grouby	Murphy	Solomon
Cook	Guthrie	Nettles	Speaks
Copeland	Hain	Nichols	Steagall
Cornett	Hanby	Oakley	Sullivan
Daniel	Harris	Owens	Taylor
Dickson	Harvey	Perry	Torbert
Dodd	Hawkins	Phillips	Turner
Dunn	Hearn	Pierce	Turnham
Edwards	Ingram	Powell	Vickers
Engel	Jenkins		

—86

Which was a majority of the whole number elected to the House.

And said bill:

H. 608. To levy county sales and use taxes for public school purposes in Blount County; to provide for the collection of such taxes by the state department of revenue, and for the distribution and use of the proceeds thereof; to provide for the enforcement of the Act; and to provide penalties.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Daniel	Hawkins	Powell
Adams	Dickson	Hearn	Pruitt
Albea	Dodd	Ingram	Ramey
Avery	Dunn	Jenkins	Rast
Bailey	Edwards	Johnson (Hardaway)	Ray
Barnett	Engel	Johnson (J. T. Tom)	Roberts
Bassett	Faulk	Johnston (Leonard)	Rozelle
Bevill	Ferguson	Lee	Self
Bishop	Franklin	Locke	Sessions
Boyd	Gilchrist	Long (Perry)	Shumate
Brannan	Gilmer	McClendon (Chambers)	Smith (Russell)
Branyon	Glass	McCorquodale	Solomon
Britton	Goodwyn	McLendon (Bullock)	Speaks
Broadfoot	Gordon	Martin	Steagall
Brooks	Grant	Murphy	Sullivan
Cabiness	Gross	Nettles	Taylor
Callahan	Grouby	Nichols	Thomas
Camp	Guthrie	Oakley	Torbert
Cates	Hain	Owens	Turner
Cook	Hanby	Perry	Turnham
Copeland	Harris	Phillips	Vickers
Cornett	Harvey	Pierce	

—87

Which was a majority of the whole number elected to the House.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 244. To divide the state of Alabama into eight Congressional districts:

And finds same correctly enrolled.

VIRGIS M. ASHWORTH,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 510. For the relief of Luther C. Gilbert, granting him a release of any state claim to the mineral in certain lands situated in Tuscaloosa County.

Also:

H. 803. To repeal Act No. 302, H. 833, Regular Session 1955, entitled "An Act to authorize all cities or towns in the State of Alabama having a population of 6500 and not more than 6900 according to the last or any subsequent Federal census to provide for the designation of the members of the governing body of all such cities; to provide that in all general elections for the election of members of the governing body in such cities, each such position shall be filled and shall be designated separately and shall appear separately on all ballots in such election; to provide that each candidate for election in such election shall designate the position to which he is seeking election; to provide that a certificate of election shall only be given to the candidate who receives a majority of the votes cast for his office; to provide that if no candidate receives a majority of the votes for any office of such cities a new election shall be held at which election the two candidates receiving the highest number of votes in the first election for such office shall run, and that the candidate receiving the highest number of votes in the run-off election shall be elected; to provide the manner in which either of the candidates receiving the highest number of votes in an election in which no candidate receives a majority of the votes cast shall decline to run for said office; to provide that the governing body of such cities shall decide the successful candidate in the event of a tie vote

in a run-off election; to provide that except as otherwise provided all elections held under the terms of this act shall be held in accordance with the general municipal election laws of the State of Alabama pertaining to the Mayor-Council form of government; and to provide that all laws or parts of laws in conflict with this act are repealed," (Acts of Alabama 1955, vol. I, pp. 699-702).

Also:

H. 989. To provide further for the operation and maintenance of public high schools and public elementary schools in Bullock County.

Also:

H. 1034. To provide for appointment of an additional deputy sheriff of Dale County and for payment of his compensation.

Also:

H. 1035. To provide for the compensation of the county or deputy solicitor of Dale County.

Also:

H. 1036. To regulate the purchase of supplies, materials, equipment, and other personal property for or on behalf of Conecuh County or any of its officers, departments, agents, or instrumentalities; providing for competitive bidding on certain purchases and prescribing penalties.

Also:

H. 1037. To provide expense allowance for members and chairmen of courts of county commissioners, boards of revenue, or other like governing bodies of all counties having populations of not less than 17,400 nor more than 17,800.

Also:

H. 1038. To provide for paid leaves of absence for employees of Conecuh County.

Also:

H. 1042. Relating to Bullock County; prescribing the times when county offices may be closed.

Also:

H. 1045. To provide for establishment and operation of a medical clinic in the municipality of Hurtsboro, Russell County.

Also:

H. 1046. To provide for the relief of George W. Dean by Montgomery County.

Also:

H. 1059. To provide for the relief of Charlie Day; authorizing an appropriation from the funds of Barbour County for such purpose.

And finds same correctly enrolled.

VIRGIS M. ASHWORTH,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 91. Relative to requesting the Federal Communications Commission to reconsider its recent action in order that Montgomery may remain an outlet for high quality VHF television.

And finds same correctly enrolled.

VIRGIS M. ASHWORTH,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 104. To provide expense allowances for members of the board of revenue, court of county commissioners, or other like county governing body of all counties having a population of not less than 15,500 nor more than 16,300, according to the last or any subsequent federal decennial census.

Also:

H. 105. To repeal Act No. 28, S. 103, approved June 4, 1959, entitled, "An Act to provide expense allowances for members of the board of revenue, court of county commissioners, or other like county governing body of all counties having a population of not less than 19,200 nor more than 20,000, according to the last or any subsequent federal decennial census," (Acts of Alabama 1959, vol. I, p. 432).

Also:

H. 110. To repeal Act No. 55, H. 357, approved June 17, 1957, entitled,

"An Act to regulate further the duties and compensation of members of the court of county commissioners, board of revenue or like governing body of all counties having a population of not less than 16,075 nor more than 16,475, according to the last or any subsequent federal decennial census," (Acts of Alabama 1957, vol. I, p. 97).

Also:

H. 568. To regulate further payment of compensation to deputy sheriffs by all counties having populations of not less than 15,500 nor more than 16,200, according to the 1960 or any subsequent federal decennial census; authorizing the court of county commissioners, board of revenue, or other like governing body of any such county to pay the compensation of deputy sheriffs from the county public highway and traffic fund.

Also:

H. 949. For the relief of A. L. Gordon; authorizing the board of revenue, court of county commissioners, or other like governing body of Lawrence County to appropriate county funds for that purpose.

Also:

H. 959. To amend further an act approved February 18, 1927, entitled "An Act to provide additional duties and confer additional powers on each member of the Court of County Commissioners of Talladega County, Alabama, and supervising the construction, maintenance and upkeep of the roads and bridges in his district and to fix the salary and compensation of said commissioners" (Act No. 62, H. 181, Local Acts 1927, P. 25).

Also:

H. 972. To amend further Section 3 of Act No. 361, H. 878, Regular Session 1939, an act fixing the compensation or salary to be paid the tax assessor of Morgan County and providing clerical assistance for his office (Local Acts of Alabama 1939, p. 248).

Also:

H. 973. To amend further Section 1 of Act No. 68, H. 263, Regular Session 1947, an act providing for the appointment of a deputy register for the circuit court of Morgan County (Local Acts of Alabama 1947, p. 51).

Also:

H. 974. To amend Section 11 of the act of the Legislature of Alabama, approved March 9, 1939, by which the Board of Revenue and Control of Morgan County, Alabama, was created, being Act No. 129 of the regular session of the Legislature of Alabama of 1939, (Local Acts 1939, page 70 et seq.), as amended by Act No. 291, Local Acts 1943, page 172, approved June 28, 1943.

Also:

H. 975. To abolish the office of commissioner of public schools of Morgan County and re-establish the office of county superintendent of education; repealing Act No. 88, H. 155, 1st Special Session 1956 and all conflicting laws.

Also:

H. 977. To amend further Section 4 of Act No. 70, H. 336, Regular Session 1943, an act placing the judge of probate of Morgan County on a salary basis and providing for clerical assistance (Local Acts of Alabama 1943, p. 34).

Also:

H. 978. To amend further Section 1 of Act No. 64, H. 259, Regular Session 1947, an act providing for the appointment of a deputy clerk for the circuit court of Morgan County (Local Acts of Alabama 1947, p. 45).

Also:

H. 979. To amend further Section 3 of Act No. 464, H. 875, Regular Session 1939, an act fixing the compensation or salary to be paid the tax collector of Morgan County and providing him clerical assistance (Local Acts of Alabama 1939, p. 278).

Also:

H. 980. To amend Act No. 477, H. 861, Regular Session 1955 titled "An Act to provide an additional expense allowance for the circuit judges of the Eighth Judicial Circuit; and to provide for the manner of payment of this allowance" (Acts 1955, vol. II, p. 1084).

Also:

H. 983. TO ALTER AND EXTEND THE BOUNDARIES OF THE CITY OF BIRMINGHAM.

Also:

H. 1044. To provide for coverage of certain employees of Walker County under the Unemployment Compensation Act.

Also:

H. 1052. To authorize and empower the Board of Revenue, Court of County Commissioners, or the like governing body of Talladega County, in its discretion, to provide branch offices in the City of Sylacauga for the use of the Judge of Probate, Tax Assessor, Tax Collector, Sheriff, or their clerks or deputies, or other officers of Talladega County, in the performance of their official duties and to authorize and empower the governing body of Talladega County to furnish office space, clerical assistants, equipment and supplies necessary for the proper and efficient operation of such branch offices and to adopt rules and regulations governing the operation of such branch offices and to provide for an effective date upon approval in a county-wide election.

Also:

H. 1057. To direct and require the commissioner of revenue and the state department of revenue to collect any sales and use taxes now or hereafter levied in the town of Berry, Fayette County, under the provisions of any ordinance or resolution duly promulgated and adopted by the governing body of said town; to prescribe the powers, duties, and authority of the commissioner of revenue, the state department of revenue, and the

comptroller with respect to the method or procedure for collecting such taxes and remitting the proceeds thereof.

And finds same correctly enrolled.

VIRGIS M. ASHWORTH,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MOTION IN WRITING BY MR. LONG (LAUDERDALE)

I hereby move that the House reconsider the vote by which H. B. 1163 was passed on the last Legislative Day.

And the Motion in Writing of Mr. Long (Lauderdale) to reconsider was adopted.

And the bill:

H. 1163. To Amend Sections 4, 6, 8, 9, 23, 28, 29 and 33 of an Act entitled An Act "To Establish a Law and Equity Court for Lauderdale County, to define its jurisdiction and powers; to provide for trial tax and other fees; to provide that said court shall be open at all times for the trial of cases and transaction of business; prescribing rules and procedure for said court; to provide for an official court reporter for said court and fix his compensation, and to provide for the transfer of causes now or hereafter pending in the County and Circuit Court of Lauderdale County, Alabama, to the Law and Equity Court; to abolish the County Court of Lauderdale County, and the office of Deputy Solicitor for Lauderdale County," approved May 29, 1931, as amended by Act approved July 7, 1947, and as further amended by Act approved May 30, 1951.

Was again taken up.

On motion of Mr. Long (Lauderdale) further consideration of the bill, H. 1163, was postponed until the next legislative day without losing its place on the Calendar.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Turner:

S. J. R. 36. BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That when the

two Houses adjourn on Friday, August 11, 1961, they do adjourn until 10 o'clock Friday, August 18, 1961.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The S. J. R. 36 set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Messrs. Robison, Golson, Word, Moscs, deGraffenried, Rutledge, Archer, Turner and Cooper:

S. 148. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bill, the title to which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 148. Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 351. To repeal Act No. 255, S. 317, approved July 19, 1951 entitled "An Act To authorize the county governing body of any county having a population of not less than 28,000 and not more than 42,000 inhabitants according to the 1950 census, and two courthouses, and the county governing body of such county is a board of revenue, to provide compensation for a deputy sheriff in addition to the chief deputy provided by law." (Acts of Alabama 1950-1951, vol. I, p. 537).

Also:

S. 352. To amend further Section 257 of Title 13, Code of Alabama 1940, which fixes the compensation of deputy solicitors in certain counties.

Also:

S. 354. Authorizing the governing body of any county having a population of not less than 20,000, and not more than 25,000 inhabitants and two courthouses, and the county governing body of such county is a board of revenue, to authorize the circuit clerk to appoint an additional deputy, whose salary shall be paid by the county.

Also:

S. 355. To authorize the county governing body of any county having a population of not less than 20,000 and not more than 25,000 inhabitants according to the 1960 census, and two courthouses, and the county governing body of such county is a board of revenue, to provide compensation for a deputy sheriff in addition to the chief deputy provided by law.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles to which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 353. To repeal Act No. 256, S. 318, approved July 19, 1951, entitled "An Act Authorizing the governing body of any county having a population of not less than 28,000, and not more than 42,000 inhabitants and two courthouses, and the county governing body of such county is a board of revenue, to authorize the circuit clerk to appoint an additional deputy, whose salary shall be paid by the county." (Acts of Alabama 1950-1951, vol. I, p. 538).

Also:

S. 356. To provide further for the compensation of the members of the county governing body in all counties having a population of not less than 24,600 nor more than 25,300, according to the last or any subsequent federal decennial census.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed

the Bills, the titles to which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bill, your signature thereto is requested:

S. 335. To authorize the court of county commissioners, board of revenue, or other like governing body of Madison County to provide additional funds to the probate judge for clerical help and assistance for the current year.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title to which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bill, your signature thereto is requested:

S. 553. Relating to consolidation of certain schools in counties having populations of not less than 24,800 nor more than 25,400; providing for and requiring referendums on such questions.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title to which is set out in the above and foregoing Message from the Senate.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 193. Relating to state regulation and supervision of the fluid milk industry; amending Code of Alabama 1940, Title 22, Sections 206, 207, 208, 213, 214, 215, 217, 221, 222, 223, and 224, to change the basis and rate and manner of payment of license fees by milk producers, milk distributors, producer-distributors, and cooperating marketing associations; to bring bob-tailers of milk or milk products and milk cooling stations within the regulatory jurisdiction of the milk control board and prescribe the license fees to be paid by bob-tailers and cooling stations; to authorize the milk control board to fix the salary of the executive secretary of the board within a prescribed maximum; to increase the compensation of the members of the milk control board; to provide for requisitioning board funds.

And finds same correctly enrolled.

VIRGIS M. ASHWORTH,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Grouby to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 1098, was adopted.

And the bill:

H. 1098. Relating to elections; amending further Sections 77 and 80 of Title 17, Code of Alabama 1940, to provide further for establishing election precincts, districts, polling places, and correct lists of qualified voters.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Brooks	Dunn	Grouby
Adams	Cabiness	Engel	Cuthrie
Albea	Callahan	Faulk	Hain
Bailey	Camp	Franklin	Harris
Barnett	Casey	Gilchrist	Harvey
Bassett	Cates	Gilmer	Hearn
Bevill	Cook	Glass	Johnson (Hardaway)
Bishop	Copeland	Goldthwaite	Johnson (J. T. Tom)
Boyd	Cornett	Goodwyn	Johnston (Leonard)
Brannan	Daniel	Gordon	Jones (Covington)
Branyon	Dickson	Grant	Lee
Broadfoot	Dodd	Gross	Long (Perry)

McClendon (Chambers)	Owens	Ray	Smith (St. Clair)
McCorquodale	Perry	Roberts	Solomon
McLendon (Bullock)	Phillips	Rozelle	Steagall
Martin	Pierce	Salter	Taylor
Meade	Powell	Self	Thomas
Morrow	Pruitt	Sessions	Turner
Murphy	Ramey	Shumate	Turnham
Nettles	Rast	Smith (Russell)	Vickers
Oakley			

—81

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Engel to suspend the rules in order to take up for consideration the bill, S. 404, in place of the bill, H. 953, was adopted.

And the bill:

S. 404. To propose an Amendment to the Constitution of Alabama relating to the levy and collection of special property taxes for public school capital outlay purposes in the County of Mobile, in the State of Alabama.

Was read a third time at length and passed.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Copeland	Harris	Pierce
Adams	Cornett	Harvey	Powell
Albea	Daniel	Hearn	Pruitt
Avery	Dickson	Ingram	Ramey
Bailey	Dodd	Johnson (Hardaway)	Rast
Barnett	Dunn	Johnson (J. T. Tom)	Ray
Bassett	Engel	Johnston (Leonard)	Roberts
Bevill	Faulk	Lee	Rozelle
Bishop	Franklin	Long (Perry)	Self
Boyd	Gilchrist	McClendon (Chambers)	Sessions
Brannan	Gilmer	McCorquodale	Shumate
Branyon	Goldthwaite	McLendon (Bullock)	Smith (Russell)
Britton	Goodwyn	Martin	Smith (St. Clair)
Broadfoot	Gordon	Meade	Solomon
Brooks	Grant	Merrill	Steagall
Cabiness	Gross	Morrow	Taylor
Callahan	Grouby	Nettles	Thomas
Casey	Guthrie	Oakley	Turner
Cates	Hain	Owens	Turnham
Cook	Hanby	Phillips	Vickers

—80

H. 953 INDEFINITELY POSTPONED

On motion of Mr. Engel, the bill, H. 953, was indefinitely postponed.

MOTION TO RECONSIDER ADOPTED

The motion of Mr. Oden to reconsider the vote by which consideration

of the bills, H. 479, H. 480, H. 481 and H. 484, was postponed until the next legislative day was adopted.

Yeas 49; Nays 24.

Yeas:

Mr. Speaker	Faulk	Jenkins	Pruitt
Albea	Franklin	Lee	Rast
Bevill	Gilmer	Locke	Roberts
Brannan	Glass	McClendon (Chambers)	Rozelle
Callahan	Grant	McCorquodale	Shumate
Camp	Gross	McLendon (Bullock)	Smith (Russell)
Casey	Grouby	Meade	Solomon
Cates	Guthrie	Murphy	Thomas
Cook	Hain	Nettles	Torbert
Cornett	Hanby	Oden	Turner
Daniel	Hawkins	Phillips	Turnham
Dodd	Ingram	Powell	Vickers
Dunn			

—49

Nays:

Messrs.	Copeland	Long (Perry)	Ramey
Avery	Dickson	Martin	Ray
Bailey	Gordon	Nichols	Self
Barnett	Harris	Owens	Smith (St. Clair)
Broadfoot	Harvey	Perry	Steagall
Brooks	Johnston (Leonard)	Pierce	Taylor
Cabiness			

—24

MOTION TO ADJOURN LOST

The motion of Mr. Avery that the House adjourn until Friday, August 25, 1961, at ten o'clock A. M. was lost.

Yeas 33; Nays 51.

Yeas:

Messrs.	Cabiness	Hearn	Powell
Albea	Copeland	Locke	Ramey
Avery	Dickson	Long (Perry)	Rast
Barnett	Edwards	Morrow	Self
Bishop	Gilchrist	Murphy	Sessions
Branyon	Glass	Oakley	Solomon
Britton	Gordon	Perry	Steagall
Broadfoot	Harris	Phillips	Taylor
Brooks	Harvey		

—33

Nays:

Mr. Speaker	Brannan	Cook	Franklin
Adams	Callahan	Cornett	Gilmer
Bailey	Camp	Daniel	Goldthwaite
Bevill	Casey	Dunn	Goodwyn
Boyd	Cates	Faulk	Grant

Gross	Jones (Covington)	Owens	Smith (Russell)
Grouby	Lee	Pierce	Smith (St. Clair)
Guthrie	McClendon (Chambers)	Pruitt	Thomas
Hain	McLendon (Bullock)	Ray	Torbert
Hanby	Meade	Roberts	Turner
Ingram	Nettles	Rozelle	Turnham
Jenkins	Nichols	Salter	Vickers
Johnson (J. T. Tom)	Oden	Shumate	

—51

BILLS ON THIRD READING RESUMED

H. 479. To amend Sections 697 and 703 of Title 51, Code of Alabama 1940, so as to revise the privilege license schedules relating to the registration of trucks, truck-tractors, trailers, and semi-trailers.

As amended, was again taken up.

And said bill, H. 479, as amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 61; Nays 19.

Yeas:

Mr. Speaker	Faulk	Johnston (Leonard)	Rast
Adams	Franklin	Lee	Roberts
Albea	Gilchrist	McClendon (Chambers)	Rozelle
Bevill	Gilmer	McCorquodale	Salter
Bishop	Glass	McLendon (Bullock)	Sessions
Brannan	Gordon	Meade	Shumate
Cabiness	Grant	Morrow	Smith (Russell)
Camp	Grouby	Murphy	Solomon
Casey	Guthrie	Nettles	Sullivan
Cates	Hain	Nichols	Taylor
Cook	Hanby	Oden	Thomas
Cornett	Hawkins	Perry	Torbert
Daniel	Hearn	Phillips	Turner
Dodd	Ingram	Powell	Turnham
Dunn	Jenkins	Pruitt	Vickers
Engel			

—61

Nays:

Messrs.	Copeland	Jones (Covington)	Ray
Avery	Dickson	Long (Perry)	Self
Barnett	Goldthwaite	Martin	Smith (St. Clair)
Brooks	Harris	Pierce	Speaks
Callahan	Harvey	Ramey	Steagall

—19

And the bill:

H. 480. (with substitute). To amend further Section 713, Title 51, Code of Alabama 1940, which relates to the distribution of motor vehicle and trailer license tax funds.

Was taken up.

The question was upon the adoption of the substitute reported by the

Standing Committee on Ways and Means, said committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend further Section 713, Title 51, Code of Alabama 1940, which relates to the distribution of motor vehicle and trailer license tax funds.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 713, Title 51, Code of Alabama 1940, as amended, is amended further to read as follows:

"Section 713. The money collected as motor vehicle and trailer license taxes, less such amount of money as shall be appropriated for each fiscal year by the legislature to the department of revenue with which to pay the salaries, cost of operation, and the management of said department, shall be deducted, as a first charge thereon, from the taxes collected under and pursuant to Article 8, Chapter 20, Title 51, Code of Alabama 1940, shall be distributed as follows: In the case of all motor vehicles and trailers other than motor trucks and truck-tractors licensed under Section 697 of this title as trucks for-hire, thirty-seven per cent to the state and sixty-three per cent to the incorporated city or town in which the owner of the motor vehicle resides; in the case of motor trucks and truck-tractors licensed under Section 697 of this title as trucks for-hire, an amount equal to one hundred thirty dollars (\$130) for each vehicle weighing more than 24,000 pounds and not more than 30,000 pounds, one hundred sixty-five dollars (\$165) for each vehicle weighing more than 30,000 pounds and not more than 36,000 pounds, two hundred dollars (\$200) for each vehicle weighing more than 36,000 pounds and not more than 42,000 pounds, and three hundred dollars (\$300) for each vehicle weighing more than 42,000 pounds, shall be paid to the state and the remainder of the license fees paid on such trucks for-hire shall be distributed thirty-seven percent to the state and sixty-three per cent to the incorporated city or town in which the owner of the motor vehicle resides. All amounts of motor vehicle and trailer license taxes received by a city or town hereunder in excess of twenty percent of such motor vehicle and trailer license taxes shall be used exclusively for the construction, improvement, and maintenance of highways or streets and administrative expenses in connection therewith, including the retirement of bonds for the payment of which such revenues may have been pledged and for no other purposes. If the owner of a motor vehicle does not reside in an incorporated city or town, then, in the case of all motor vehicles and trailers except motor trucks and truck-tractors licensed under Section 697 of this title as trucks for-hire, thirty-seven per cent shall go to the state and sixty-three per cent to the county in which the owner of the motor vehicle resides, and in the case of motor trucks and truck-tractors licensed under Section 697 of this title as trucks for-hire, an amount equal to one hundred thirty dollars (\$130) for each vehicle weighing more than 24,000 pounds and not more than 30,000 pounds, one hundred sixty-five dollars (\$165) for each vehicle weighing more than 30,000 pounds and not more than 36,000 pounds, two hundred dollars (\$200) for each vehicle weighing more than 36,000 pounds and not more than 42,000 pounds, and three hundred dollars (\$300) for each vehicle weighing more than 42,000 pounds, shall be paid to the state and the remainder of such truck-for-hire licenses

shall be paid thirty-five per cent to the county in which the owner of the motor vehicle resides. The money collected as motor vehicle license taxes by the state, less appropriations for salaries and expenses, shall be used exclusively to create a sinking fund for the prompt and faithful payment of the principal and interest on good road bonds and for construction and maintenance as required under the provisions of Article XX of the Constitution of Alabama."

Section 2. This Act shall become effective October 1, 1962.

On motion of Mr. Smith (Russell) the substitute reported by the Standing Committee on Ways and Means was laid upon the table.

Yeas 70; Nays 6.

Yeas:

Messrs.	Engel	Ingram	Roberts
Adams	Faulk	Jenkins	Rozelle
Albea	Franklin	Lee	Salter
Barnett	Gilchrist	Long (Perry)	Self
Bevill	Gilmer	McClendon (Chambers)	Sessions
Bishop	Glass	McCorquodale	Shumate
Brannan	Goldthwaite	McLendon (Bullock)	Smith (Russell)
Britton	Goodwyn	Meade	Smith (St. Clair)
Brooks	Gordon	Morrow	Solomon
Cabiness	Grant	Murphy	Speaks
Camp	Gross	Nettles	Steagall
Casey	Grouby	Nichols	Sullivan
Cates	Guthrie	Oden	Taylor
Cook	Hain	Perry	Thomas
Cornett	Hanby	Phillips	Torbert
Daniel	Harvey	Pierce	Turner
Dodd	Hawkins	Powell	Turnham
Dunn	Hearn	Rast	

—70

Nays:

Messrs.	Callahan	Dickson	Ray
Avery	Copeland	Ramey	

—6

Mr. Smith (Russell) offered the following substitute for the bill, H. 480:

A BILL
TO BE ENTITLED
AN ACT

To amend further Section 713, Title 51, Code of Alabama 1940, which relates to the distribution of motor vehicle and trailer license tax funds.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1. Section 713, Title 51, Code of Alabama 1940, as amended, is amended further to read as follows:

"Section 713. The money collected as motor vehicle and trailer license

taxes, less such amount of money as shall be appropriated for each fiscal year by the legislature to the department of revenue with which to pay the salaries, cost of operation, and the management of said department, shall be deducted, as a first charge thereon, from the taxes collected under and pursuant to Article 8, Chapter 20, Title 51, Code of Alabama 1940, shall be distributed as follows: In the case of all motor vehicles and trailers other than motor trucks and truck-tractors licensed under Section 697 of this title as trucks for-hire, thirty-seven per cent to the state and sixty-three per cent to the incorporated city or town in which the owner of the motor vehicle resides; in the case of motor trucks and truck-tractors licensed under Section 697 of this title as trucks for hire, an amount equal to one hundred thirty dollars (\$130) for each vehicle weighing more than 24,000 pounds and not more than 30,000 pounds, one hundred sixty-five dollars (\$165) for each vehicle weighing more than 30,000 pounds and not more than 36,000 pounds, two hundred dollars (\$200) for each vehicle weighing more than 36,000 pounds and not more than 42,000 pounds, and three hundred dollars (\$300) for each vehicle weighing more than 42,000 pounds, shall be paid to the state and the remainder of the license fees paid on such trucks for-hire shall be distributed thirty-seven percent to the state and sixty-three per cent to the incorporated city or town in which the owner of the motor vehicle resides. All amounts of motor vehicle and trailer license taxes received by a city or town hereunder in excess of twenty per cent of such motor vehicle and trailer license taxes shall be used exclusively for the construction, improvement, and maintenance of highways or streets and administrative expenses in connection therewith, including the retirement of bonds for the payment of which such revenues may have been pledged, and for no other purposes. If the owner of a motor vehicle does not reside in an incorporated city or town, then, in the case of all motor vehicles and trailers except motor trucks and truck-tractors licensed under Section 697 of this title as trucks for-hire, thirty-seven per cent shall go to the state and sixty-three per cent to the county in which the owner of the motor vehicle resides, and in the case of motor trucks and truck-tractors licensed under Section 697 of this title as trucks for-hire, an amount equal to one hundred thirty dollars (\$130) for each vehicle weighing more than 24,000 pounds and not more than 30,000 pounds, one hundred sixty-five dollars (\$165) for each vehicle weighing more than 30,000 pounds and not more than 36,000 pounds, two hundred dollars (\$200) for each vehicle weighing more than 36,000 pounds and not more than 42,000 pounds, and three hundred dollars (\$300) for each vehicle weighing more than 42,000 pounds, shall be paid to the state and the remainder of such truck-for-hire licenses shall be paid thirty-five percent to the county in which the owner of the motor vehicle resides. The money collected as motor vehicle license taxes by the state, less appropriations for salaries and expenses, shall be used exclusively to create a sinking fund for the prompt and faithful payment of the principal and interest on good road bonds and for construction and maintenance as required under the provisions of Article XX of the Constitution of Alabama."

Section 2. This Act shall become effective October 1, 1961.

And the substitute was adopted.

Yeas 73; Nays 7.

Yeas:

Messrs.	Barnett	Boyd	Cabiness
Adams	Bassett	Brannan	Camp
Albea	Bevill	Britton	Casey
Bailey	Bishop	Brooks	Cates

Cook	Grouby	Meade	Ray
Cornett	Guthrie	Morrow	Roberts
Daniel	Hain	Murphy	Rozelle
Dodd	Hanby	Nettles	Sessions
Dunn	Harvey	Nichols	Shumate
Engel	Hawkins	Oakley	Smith (Russell)
Faulk	Hearn	Oden	Smith (St. Clair)
Ferguson	Ingram	Owens	Solomon
Franklin	Jenkins	Perry	Sullivan
Gilchrist	Johnston (Leonard)	Phillips	Taylor
Gilmer	Lee	Pierce	Thomas
Glass	Locke	Powell	Torbert
Gordon	McClendon (Chambers)	Pruitt	Turner
Grant	McCorquodale	Rast	Turnham
Gross	McLendon (Bullock)		

—73

Nays:

Messrs.	Copeland	Harris	Speaks
Callahan	Dickson	Self	Steagall

—7

And said bill, H. 480, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 70; Nays 14.

Yeas:

Messrs.	Dodd	Ingram	Pierce
Adams	Dunn	Jenkins	Powell
Albea	Engel	Johnston (Leonard)	Pruitt
Avery	Faulk	Lee	Ramey
Bailey	Ferguson	Locke	Rast
Bassett	Franklin	McClendon (Chambers)	Roberts
Bevill	Gilchrist	McCorquodale	Rozelle
Bishop	Gilmer	McLendon (Bullock)	Sessions
Boyd	Glass	Mcadc	Shumate
Brannan	Gordon	Morrow	Smith (Russell)
Britton	Grant	Murphy	Solomon
Cabiness	Gross	Nettles	Sullivan
Camp	Grouby	Nichols	Taylor
Casey	Guthrie	Oakley	Thomas
Cates	Hain	Oden	Torbert
Cook	Hanby	Owens	Turner
Cornett	Hawkins	Perry	Turnham
Daniel	Hearn	Phillips	

—70

Nays:

Messrs.	Copeland	Harvey	Self
Barnett	Dickson	Long (Perry)	Speaks
Brooks	Goldthwaite	Martin	Steagall
Callahan	Harris	Ray	

—14

And the bill:

H. 481. To amend Act No. 664, H. 791, approved July 5, 1940 (General

Acts of Alabama, 1939, p. 1050), which provides for the levy, assessment, and collection of mileage taxes from motor carriers in the State of Alabama, so as to eliminate the imposition of such tax on vehicles transporting property for-hire.

Was taken up.

Mr. Smith (Russell) offered the following substitute for the bill, H. 481:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 664, H. 791, approved July 5, 1940 (General Acts of Alabama, 1939, p. 1050), which provides for the levy, assessment, and collection of mileage taxes from motor carriers in the State of Alabama, so as to eliminate the imposition of such tax on vehicles transporting property for-hire.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of Act No. 664, H. 791, approved July 5, 1940 (General Acts of Alabama, 1939, p. 1050), which provides for the levy, assessment and collection of mileage taxes from motor carriers in the State of Alabama, is amended to read as follows:

"Section 2. Every motor carrier of persons for hire traversing the highways of the State subject to the provisions of an Act known as the Alabama Motor Carrier Act of 1939 shall pay to the State of Alabama into the fund of the State Department of Revenue as contribution to the maintenance, repair and policing of public highways for each mile actually operated within the State on such public highways, whether such vehicle is loaded or empty, a mileage tax of one-fourth ($\frac{1}{4}$) cent per mile on all passenger vehicles with a seating capacity of not less than nine nor more than sixteen (16) passengers; a mileage tax of one-half ($\frac{1}{2}$) cent per mile on all passenger vehicles with a seating capacity of not less than seventeen (17) nor more than twenty-one (21) passengers; a mileage tax of three fourths ($\frac{3}{4}$) cent per mile on all passenger vehicles with a seating capacity of not less than twenty-two (22) nor more than twenty-five (25) passengers; and a mileage tax of one cent (0.01) per mile on all passenger vehicles with a seating capacity exceeding twenty-five (25) passengers. 'Seating capacity' for the purpose of this Act means actual number of regular passenger-carrying seats in a motor vehicle; and 'regular passenger-carrying seat' as used in this Act means a seat ordinarily and customarily used by one (1) passenger but does not include folding, or collapsible emergency aisle seats: provided, however, that the number of such folding or collapsible aisle seats shall not be greater in number than twenty-five per cent (25%) of the regular seats in such vehicle; and provided further that where any seats in the vehicle are not distinguished by separate cushions or backs, one seat shall be counted for each eighteen (18) inches of space on any such seat. The taxes imposed by this Act shall be increased fifty per cent (50%) if the annual license tax prescribed by the laws of this State on like vehicle is not paid. Such mileage tax as herein set out shall be paid by such motor carrier in addition to all property, franchise, license or other taxes, fees and charges now or hereafter provided by law. The tax herein levied shall constitute a debt due the State of Alabama and may be collected by civil suit in addition to the methods herein provided."

Section 2. This Act shall become effective on October 1, 1961.

And the substitute was adopted.

Yeas 68; Nays 12.

Yeas:

Mr. Speaker	Engel	Ingram	Powell
Adams	Faulk	Jenkins	Pruitt
Albea	Ferguson	Johnston (Leonard)	Rast
Bassett	Franklin	Lee	Rozelle
Bevill	Gilchrist	Locke	Self
Boyd	Gilmer	Long (Perry)	Sessions
Brannan	Glass	McClendon (Chambers)	Shumate
Britton	Goldthwaite	McCorquodale	Smith (Russell)
Cabiness	Gordon	McLendon (Bullock)	Solomon
Camp	Grant	Meade	Steagall
Casey	Gross	Morrow	Sullivan
Cates	Grouby	Murphy	Taylor
Cook	Guthrie	Nettles	Thomas
Cornett	Hain	Nichols	Torbert
Daniel	Hanby	Oakley	Turner
Dodd	Hawkins	Perry	Turnham
Dunn	Hearn	Phillips	Vickers

—68

Nays:

Messrs.	Brooks	Dickson	Pierce
Avery	Callahan	Harris	Ray
Bailey	Copeland	Jones (Covington)	Speaks
Barnett			

—12

And said bill, H. 481, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 61; Nays 18.

Yeas:

Mr. Speaker	Engel	Ingram	Phillips
Adams	Faulk	Jenkins	Powell
Albea	Ferguson	Johnston (Leonard)	Pruitt
Bassett	Franklin	Lee	Rast
Bevill	Gilchrist	Locke	Sessions
Brannan	Gilmer	McClendon (Chambers)	Shumate
Britton	Glass	McCorquodale	Smith (Russell)
Cabiness	Gordon	McLendon (Bullock)	Solomon
Camp	Gross	Meade	Sullivan
Casey	Grouby	Morrow	Taylor
Cates	Guthrie	Murphy	Thomas
Cook	Hain	Nettles	Torbert
Cornett	Hanby	Nichols	Turner
Daniel	Hawkins	Oakley	Turnham
Dodd	Hearn	Perry	Vickers
Dunn			

—61

Nays:

Messrs.	Copeland	Jones (Covington)	Self
Avery	Dickson	Long (Lauderdale)	Smith (St. Clair)
Barnett	Goldthwaite	Long (Perry)	Speaks
Brooks	Harris	Pierce	Steagall
Callahan	Harvey	Ray	

—18

And the bill:

H. 484. (with substitute). To make further provisions regarding the taxation affecting motor fuel, as defined in this Act, sold to, or withdrawn from storage or used in this State by motor carriers, as defined in this Act, including the imposition of an excise tax measured by the quantity of motor fuel used by such motor carriers in their operations in this State; the definition of the terms motor vehicle, motor carrier, operations, motor fuel, Commissioner, gasoline tax and Diesel fuel tax, as used in this Act; the fixing of the amount of such tax and provision for the collection thereof; provision for credit upon such tax for payment of the gasoline tax and the Diesel fuel tax and, in certain cases, provision for refunds of the gasoline tax and the Diesel fuel tax, if proper bond be given; provision for an audit of the records of applicants for refunds; provision for penalties for the violation of this Act; provision for the costs of administration of this Act; provision for the disposition of the proceeds of the tax imposed by this Act; provision for the making of reports by all motor carriers subject to this Act and for joint reports by certain of such motor carriers; provision for sales of motor fuel, as defined in this Act, to motor carriers duly reporting pursuant to this Act by a distributor of storer without liability for the gasoline tax or the Diesel fuel tax if such motor carrier has given bond in such amount as may be required by the Commissioner to secure the payment of the tax imposed by this Act; authorizing the Commissioner of the State Department of Revenue to promulgate rules and regulations with respect to the enforcement of the provisions of this Act; provision for reciprocal agreements with other states; provision for the modification and repeal of laws or portions thereof to the extent of any conflict with the provisions of this Act; the fixing of the effective date of this Act; and generally, provision for the enforcement of the provisions of this Act and rules and regulations adopted pursuant thereto.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Ways and Means, said committee substitute being as follows:

A BILL TO BE ENTITLED AN ACT

To make further provision regarding the taxation affecting motor fuel, as defined in this Act, sold to, or withdrawn from storage or used in this State by motor carriers, as defined in this Act, including the imposition of an excise tax measured by the quantity of motor fuel used by such motor carriers in their operations in this State; the definition of the terms motor vehicle, motor carrier, operations, motor fuel, Commissioner, gasoline tax and Diesel fuel tax, as used in this Act; the fixing of the amount of such tax and provision for the collection thereof; provision for credit upon such tax for payment of the gasoline tax and the Diesel fuel

tax and, in certain cases, provision for refunds of the gasoline tax and the Diesel fuel tax, if proper bond be given; provision for an audit of the records of applicants for refunds; provision for penalties for the violation of this Act; provision for the costs of administration of this Act; provision for the disposition of the proceeds of the tax imposed by this Act; provision for the making of reports by all motor carriers subject to this Act; provision for sales of motor fuel, as defined in this Act, to motor carriers duly reporting pursuant to this Act by a distributor or storer without liability for the gasoline tax or the Diesel fuel tax if such motor carrier has given bond in such amount as may be required by the Commissioner to secure the payment of the tax imposed by this Act; authorizing the Commissioner of the State Department of Revenue to promulgate rules and regulations with respect to the enforcement of the provisions of this Act; provision for the modification and repeal of laws or portions thereof to the extent of any conflict with the provisions of this Act; the fixing of the effective date of this Act; and generally, provision for the enforcement of the provisions of this Act and rules and regulations adopted pursuant thereto.

Be It Enacted by the Legislature of Alabama:

Section 1. Definitions.—Whenever used in this Act,

(a) the term “motor vehicle” shall mean any passenger vehicle that has seats for more than nine passengers in addition to the driver, or any road tractor, or any tractor, truck, or any truck having more than two axles.

(b) the term “motor carrier” shall mean every person, firm or corporation who or which operates or causes to be operated on any highway in this State any motor vehicle, as defined herein, except any resident person, firm or corporation owning or operating not more than one such motor vehicle for his own use and not for hire, and except any person, firm or corporation the motor vehicles of which are operated or caused to be operated wholly within this State.

(c) the term “operations” shall mean operations of all motor vehicles, whether loaded or empty, whether for compensation or not for compensation, and whether owned by or leased to the motor carrier who operates them or causes them to be operated.

(d) the term “motor fuel” shall mean and include gasoline, Diesel fuel, and any other inflammable liquid or substance by whatever name it may be known and sold, the use of which is as a fuel for the propulsion of motor vehicles.

(e) the term “Commissioner” shall mean the Commissioner of the State Department of Revenue.

(f) the term “gasoline tax” shall mean the tax imposed by Article 5, Chapter 20 of Title 51 of the Code of Alabama of 1940 as amended.

(g) the term “Diesel fuel tax” shall mean the tax imposed by Act No. 590, H. 392, General Acts of Alabama of 1939, pages 958-963, approved June 27, 1940.

Section 2. Amount of tax; levy.—Every motor carrier shall pay an excise tax upon motor fuels used in its operations within this State at the same rate per gallon as shall be currently in effect for the classifications of fuels so used under applicable statutes levying the gasoline tax and Diesel fuel tax as such terms are defined in paragraphs (f) and (g) of Section 1.

Section 3. Credit of payment of gasoline and Diesel fuel taxes.—(a) Every motor carrier subject to the tax hereby imposed shall be entitled to a credit on such tax equivalent to the rate per gallon of the applicable Alabama tax on motor fuel which is currently in effect, on all motor fuel purchased by such motor carrier within this State for use in its operations either within or without this State and upon which the gasoline tax or the Diesel fuel tax has been paid by such motor carrier. Evidence of the payment of such taxes in such form as may be required by, or is satisfactory to, the Commissioner shall be furnished by each such carrier claiming the credit herein allowed. When the mount of the credit herein provided to which any motor carrier is entitled for any quarter exceeds the amount of the tax hereby imposed for which the motor carrier is liable for the same quarter, such excess may under regulations of the Commissioner be allowed as a credit on the tax hereby imposed for which such motor carrier would be otherwise liable for any of the three succeeding quarters; or upon application within three years from the end of any quarter, duly verified and presented, in accordance with regulations promulgated by the Commissioner and supported by such evidence as may be satisfactory to the Commissioner, such excess may be refunded, if it shall appear that the applicant has paid to another state under a lawful requirement of such state a tax, similar in effect to the tax herein provided, on the use or consumption in such state of motor fuel purchased in Alabama, to the extent of such payment to said other state, but in no case to exceed the rate of the rate per gallon of the applicable Alabama tax on motor fuel which is currently in effect.

(b) The Commissioner shall not allow such refund except after an audit of the applicant's records and shall audit the records as required. If the Commissioner shall refuse to allow a refund in the amount claimed by the applicant, the applicant may request a formal hearing on the application for a refund. Such hearing shall be held by the Commissioner after notice to the applicant of not less than ten days. Whenever any refund is ordered it shall be paid by warrant of the state comptroller out of the same funds to which disbursed as provided in Section 7 hereof, and there is hereby appropriated out of said funds so much thereof as may be necessary to make refunds from time to time.

Section 4. Refunds to motor carriers who give bond.—A motor carrier may give a surety company bond in an amount to be determined by the Commissioner but not in excess of fifteen thousand dollars payable to the State of Alabama and conditioned that the motor carrier will pay all taxes due and to become due under this Act from the date of the bond to the date when either the motor carrier or the surety company notifies the Commissioner that the bond has been cancelled. The surety shall be a corporation authorized to write surety bonds in Alabama. So long as the bond remains in force the Commissioner may order refunds to the motor carrier in the amounts appearing to be due on applications duly filed by the motor carrier under Section 3 of this Act without first auditing the records of the motor carrier. The surety shall be liable for all omitted taxes assessed against the motor carrier including the penalties and interest provided in Section 14 of this Act even though the assessment is made after cancellation of the bond, but only for taxes due and payable while the bond was in force and penalties and interest on said taxes.

Section 5. Penalty for false statements.—Any person who willfully and knowingly makes a false statement orally, or in writing, or in the form of a receipt for the sale of motor fuel, for the purpose of obtaining or attempting to obtain or to assist any other person, partnership or corporation to obtain or attempt to obtain a credit or refund or reduction of liability for taxes under this Act shall be guilty of a misdemeanor.

Section 6. Payment of tax.—The tax hereby imposed shall be paid by each motor carrier quarterly to the Commissioner on or before the last day of April, July, October and January of each year and calculated upon the amount of motor fuel used in its operations within this State by each such motor carrier during the quarter ending with the last day of the preceding month.

Section 7. Disposition of proceeds of tax.—The proceeds of the tax hereby imposed shall be disbursed as follows: that portion thereof that is attributable to the use of motor fuel subject to the gasoline tax, shall be disbursed in the manner provided by law for the disbursement of the proceeds of the gasoline tax; and that portion thereof that is attributable to the use of motor fuel subject to the Diesel fuel tax, shall be disbursed in the manner provided by law for the disbursement of the proceeds of the Diesel fuel tax. The administrative cost of this Act, not to exceed \$165,000 for the fiscal year ending September 30, 1961 and not to exceed \$260,000 for each succeeding fiscal year, shall be provided to the State Department of Revenue, to be allotted and budgeted under Title 55 of the Code of Alabama, as amended, in addition to the regular appropriation to such Department.

Section 8. How amount of motor fuel used in State ascertained.—The amount of motor fuel used in the operations of any motor carrier within this State shall be such proportion of the total amount of such motor fuel used in its entire operations within and without this State as the total number of miles traveled within this State bears to the total number of miles traveled within and without this State.

Section 9. Reports of motor carriers.—Every motor carrier subject to the tax imposed by this Act shall on or before the last day of April, July, October and January of every year make to the Commissioner such reports of its operations during the quarter ending the last day of the preceding month as the Commissioner may require and such other reports from time to time as the Commissioner may deem necessary.

Section 10. Inspection of books and records.—The Commissioner and his authorized agents and representatives shall have the right at any reasonable time to inspect the books and records of any motor carrier subject to the tax hereby imposed. Records substantiating the operation of the motor carriers under this Act shall be kept within this State by the motor carriers for not less than three years; provided, that the Commissioner may permit such books and records to be kept without this State upon agreement by any motor carrier to defray reasonable travel expenses incurred in inspecting such books and records without the State, or to return the books to the State for such purposes.

Section 11. Cab card for motor vehicle.—The Commissioner shall provide a permanent cab card to every motor vehicle, as defined herein, operated by a motor carrier, as defined in this Act, to be carried in the motor vehicle. The card shall remain the property of the State and may be recalled for any violation of the provisions of this Act or of the regulations promulgated thereunder. The Commissioner also shall provide by regulation for the registration of every such motor vehicle for a fee of one dollar each, which registration shall be good until the motor vehicle is sold, transferred or destroyed. The proceeds of cab card fees attributable to motor vehicles using motor fuel subject to the gasoline tax shall be disbursed in the manner provided by law for the disbursement of the proceeds of the gasoline tax; and the proceeds of such cab card fees attributable to motor vehicles using motor fuel subject to the Diesel fuel tax shall be

disbursed in the manner provided by law for the disbursement of the proceeds of the Diesel fuel tax. It shall be illegal for a motor carrier to operate or to cause to be operated in this State any motor vehicle as defined herein unless the motor vehicle carries the cab card required by this section; provided, however, the Commissioner by regulation may exempt from the requirement for carrying the said card such motor vehicles as urban and public transit motor vehicles or others if in his discretion they are clearly identifiable and the effective enforcement of this Act will not suffer thereby. In addition and for a period not exceeding ten days as to any one motor carrier the Commissioner by letter or telegram may authorize the operation of a motor vehicle or motor vehicles without the cab card required when the enforcement of this section for that period would cause undue delay and hardship in the operation of the said motor vehicle or motor vehicles.

Section 12. Sales without liability for tax on part of distributor.—The State Department of Revenue shall permit the sale of motor fuel without liability on the part of the distributor or storer for the gasoline tax or Diesel fuel tax as herein defined, when such motor fuel is sold to a motor carrier, as defined in this Act, for storage in bulk on such motor carrier's premises within the State of Alabama provided such motor carrier has given bond for such sum as the Commissioner may fix to secure the payment of the gasoline tax or Diesel fuel tax, as the case may be, said bond to guarantee the prompt payment of all such tax accruing and to include such other reasonable conditions as the Commissioner may require to the end that evasions of the tax hereby imposed may be prevented, it being the intent of this Act that the tax hereby imposed shall be imposed only where motor fuel is used in the operation of motor vehicles on the streets and highways of this State; provided, that the State Department of Revenue shall furnish to all distributors and storers who are bonded under the provisions of Section 670 of Title 51 of the Code of Alabama of 1940, as amended, a list of the motor carriers who have furnished the bond herein provided for and changes therein that from time to time occur.

Section 13. Penalties.—Failure to comply with any rule or regulation issued by the Commissioner pursuant to the provisions of this Act, or the refusal or failure to file a report within the time prescribed pursuant to this Act, shall be deemed to be a violation thereof, and each such failure or violation shall constitute a misdemeanor and upon conviction shall be punishable by a fine of not more than \$300.00. Each such violation shall constitute a separate offense.

Section 14. Rules and Regulations.—The Commissioner is hereby authorized to adopt, promulgate and enforce reasonable rules and regulations, as herein before provided for and such other reasonable rules and regulations relating to the administration and enforcement of the provisions of this Act, not in conflict with the specific provisions hereof, as he may deem advisable.

Section 15. Tax in addition to all other taxes.—The taxes imposed on motor carriers by this Act are in addition to any taxes of whatever character imposed on such motor carriers by any other provision of law.

Section 16. Nothing in this Act shall apply to any motor vehicle operated by or on behalf of any department, board, bureau, commission by county agency or taxing area or other agency of the federal government or of the State of Alabama or any political subdivision thereof, nor shall the provisions of this Act apply to any school bus operated by,

for or on behalf of the State of Alabama, any political subdivision thereof, or any private or privately operated school or schools.

Section 17. All laws or parts of laws which are inconsistent or in conflict with the provisions of this Act are, to the extent of such inconsistency or conflict, hereby repealed.

Section 18. In the event any section, sentence, clause or provision of this Act shall be declared invalid by any court of competent jurisdiction, such action shall not affect the validity of the remaining sections, sentences, clauses or provisions of this Act, which shall continue effective.

Section 19. This Act shall take effect October 1, 1961, or immediately upon its enactment if enacted after that date.

And the substitute was adopted.

Yeas 64; Nays 10.

Yeas:

Mr. Speaker	Dunn	Jenkins	Powell
Adams	Faulk	Johnston (Leonard)	Pruitt
Albea	Ferguson	Lee	Rast
Bassett	Franklin	Locke	Rozelle
Bevill	Gilchrist	Long (Perry)	Sessions
Boyd	Gilmer	McClendon (Chambers)	Shumate
Brannan	Glass	McCorquodale	Smith (Russell)
Britton	Goldthwaite	McLendon (Bullock)	Smith (St. Clair)
Cabiness	Goodwyn	Meade	Solomon
Camp	Gordon	Morrow	Sullivan
Casey	Grant	Murphy	Taylor
Cates	Gross	Nettles	Thomas
Cook	Hain	Nichols	Torbert
Cornett	Hanby	Oakley	Turner
Daniel	Hawkins	Perry	Turnham
Dodd	Ingram	Phillips	Vickers

—64

Nays:

Messrs.	Barnett	Dickson	Self
Avery	Callahan	Jones (Covington)	Speaks
Bailey	Copeland	Pierce	

—10

And said bill, H. 484, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 59; Nays 18.

Yeas:

Mr. Speaker	Cabiness	Cornett	Faulk
Adams	Camp	Daniel	Franklin
Albea	Casey	Dodd	Gilchrist
Bevill	Cates	Dunn	Gilmer
Brannan	Cook	Engel	Glass

Goodwyn	Ingram	Murphy	Smith (Russell)
Gordon	Jenkins	Nettles	Solomon
Grant	Johnston (Leonard)	Nichols	Sullivan
Gross	Jones (Covington)	Oakley	Taylor
Grouby	Lee	Phillips	Thomas
Guthrie	McClendon (Chambers)	Powell	Torbert
Hain	McCorquodale	Pruitt	Turner
Hanby	McLendon (Bullock)	Rozelle	Turnham
Hawkins	Meade	Sessions	Vickers
Hearn	Morrow	Shumate	

—59

Nays:

Messrs.	Callahan	Harris	Ray
Avery	Copeland	Long (Lauderdale)	Self
Bailey	Dickson	Long (Perry)	Smith (St. Clair)
Barnett	Ferguson	Pierce	Speaks
Bishop	Goldthwaite	Ramey	

—18

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Pruitt to suspend the rules in order take up for immediate consideration the third reading of the bill, H. 1026, was adopted.

And the bill:

H. 1026. To amend further Act No. 128, S. 120, Regular Session 1949, entitled "An Act to provide for the service of process in civil suits upon non-residents of the State of Alabama and providing that any non-resident person, firm, partnership, general or limited, or any corporation not qualified under the constitution and laws of this State as to doing business herein shall be deemed to have appointed the Secretary of State, or his successor or successors in office, to be the true and lawful attorney or agent of such non-resident, upon whom process may be served; and for other purposes" (Acts of Alabama 1949, p. 154).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Cabiness	Faulk	Harvey
Adams	Callahan	Ferguson	Hawkins
Albea	Camp	Franklin	Hearn
Avery	Casey	Gilchrist	Ingram
Bailey	Cates	Gilmer	Jenkins
Barnett	Cook	Glass	Johnson (Hardaway)
Bassett	Copeland	Goldthwaite	Johnson (J. T. Tom)
Bevill	Cornett	Gordon	Johnston (Leonard)
Bishop	Daniel	Grant	Jones (Covington)
Boyd	Dickson	Gross	Lee
Brannan	Dodd	Grouby	Locke
Branyon	Dunn	Guthrie	McClendon (Chambers)
Britton	Edwards	Hain	McCorquodale
Broadfoot	Engel	Hanby	Martin

Meade	Phillips	Self	Sullivan
Merrill	Pierce	Sessions	Taylor
Morrow	Powell	Shumate	Thomas
Murphy	Pruitt	Smith (Russell)	Torbert
Nettles	Ramey	Smith (St. Clair)	Turner
Oakley	Ray	Solomon	Turnham
Owens	Rozelle	Speaks	Vickers
Perry	Salter		

—86

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Ferguson to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 323, was adopted.

And the bill:

H. 323. To amend Code of Alabama 1940, Title 48, Section 5, to provide that congressional redistricting shall not serve to disqualify public service commissioners even though two or more commissioners may be residents of the same congressional district.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Cornett	Harris	Phillips
Albea	Daniel	Harvey	Pierce
Avery	Dickson	Hearn	Powell
Bailey	Dodd	Ingram	Ramey
Barnett	Dunn	Jenkins	Ray
Bassett	Engel	Johnson (J. T. Tom)	Rozelle
Bevill	Faulk	Johnston (Leonard)	Self
Bishop	Ferguson	Lee	Shumate
Boyd	Franklin	Long (Perry)	Smith (Russell)
Brannan	Gilchrist	McClendon (Chambers)	Smith (St. Clair)
Britton	Gilmer	McCorquodale	Speaks
Broadfoot	Glass	Martin	Steagall
Brooks	Goldthwaite	Meade	Sullivan
Cabiness	Goodwyn	Merrill	Taylor
Callahan	Gordon	Murphy	Thomas
Camp	Grant	Nettles	Torbert
Casey	Crouby	Nichols	Turner
Cates	Guthrie	Oakley	Turnham
Cook	Hain	Owens	Vickers
Copeland	Hanby	Perry	

—79

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Johnson (J. T. Tom) to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 321, was adopted.

And the bill:

H. 321. Regulating further the registration and licensing of motor vehicles: To require all motor vehicles operated in Alabama to be registered and annually to be licensed and to have attached thereto registration plates with tabs or other devices indicating the payment of the license tax for the current year; to convert vehicle license tags and the numbers thereon issued for the fiscal year beginning October 1, 1962, into the registration number and plates hereby required of the licensee; to provide for and regulate the issuance and use of registration plates and annual license tabs or other such devices; to prescribe penalties for violations of this Act; to amend Sections 704, 705, and 708 of Title 51, Code of Alabama 1940 to conform to this Act; and to repeal Sections 693 and 706 of said Title 51 and Act No. 35, H. 34, approved May 28, 1945 (Acts of 1945, p. 42), and other laws in conflict herewith.

With read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 77; Nays 6.

Yeas:

Mr. Speaker	Dodd	Hearn	Pierce
Adams	Dunn	Ingram	Powell
Albea	Engel	Jenkins	Pruitt
Avery	Faulk	Johnson (J. T. Tom)	Ramey
Bassett	Ferguson	Johnston (Leonard)	Roberts
Bevill	Franklin	Lee	Rozelle
Bishop	Gilchrist	Locke	Self
Boyd	Gilmer	McClendon (Chambers)	Shumate
Brannan	Glass	McCorquodale	Smith (Russell)
Britton	Goldthwaite	Martin	Smith (St. Clair)
Broadfoot	Goodwyn	Meade	Solomon
Brooks	Gordon	Merrill	Speaks
Cabiness	Grant	Morrow	Sullivan
Camp	Gross	Murphy	Taylor
Casey	Grouby	Nettles	Thomas
Cates	Guthrie	Nichols	Torbert
Cook	Hain	Oakley	Turner
Copeland	Harvey	Owens	Turnham
Cornett	Hawkins	Phillips	Vickers
Dickson			

—77

Nays:

Messrs.	Barnett	Callahan	Steagall
Bailey	Branyon	Long (Perry)	

—6

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Thomas to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 823, was adopted.

And the bill:

H. 823. To authorize each of the several counties in this state to

acquire properties suitable for use by any one or a combination of the following: (a) any industry for manufacturing, processing, or assembling any agricultural or manufactured product and (b) any commercial enterprise in storing, warehousing, distributing or selling products of agriculture, mining and industry; to authorize counties to lease such properties subject to certain specified requirements; to authorize counties to finance the acquisition of such properties by the issuance of revenue bonds payable solely out of the revenues from the leasing of such properties and to secure such bonds by pledges of such revenues and leases and by mortgages on such properties; to provide that all such bonds shall be negotiable instruments; to authorize the refunding of any such bonds; to provide for remedies in the event of default respecting any bonds issued under the act; to exempt from taxation such properties and the revenue from the lease thereof, such bonds and the income therefrom, all mortgages executed as security therefor and all lease agreements made hereunder; to prohibit any county from making contributions to the cost of any such properties and from furnishing land therefor; to provide that such bonds and any agreements made in connection therewith shall not constitute an indebtedness of a county or a pecuniary liability of any kind; to provide that such bonds shall be legal investments for savings banks and insurance companies organized under the laws of this state; to provide the purposes for which the proceeds from the sale of such bonds may be used; to provide that no notice to or consent or approval by any governmental body or public officer shall be a prerequisite to the issuance of such bonds or the securing thereof.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Copeland	Harvey	Owens
Adams	Cornett	Hawkins	Phillips
Albea	Dickson	Hearn	Pierce
Avery	Dodd	Ingram	Powell
Bailey	Dunn	Jenkins	Ramey
Barnett	Edwards	Johnson (J. T. Tom)	Ray
Bassett	Engel	Johnston (Leonard)	Roberts
Bevill	Faulk	Lee	Rozelle
Bishop	Franklin	Locke	Self
Boyd	Gilchrist	Long (Perry)	Shumate
Brannan	Gilmer	McClendon (Chambers)	Smith (Russell)
Branyon	Glass	McCorquodale	Smith (St. Clair)
Britton	Goldthwaite	Martin	Solomon
Brooks	Goodwyn	Meade	Speaks
Cabiness	Gordon	Merrill	Steagall
Callahan	Gross	Morrow	Sullivan
Camp	Grouby	Murphy	Taylor
Casey	Guthrie	Nettles	Thomas
Cates	Hain	Nichols	Turner
Cook	Harris	Oakley	Vickers

—80

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Goodwyn to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 705, was adopted.

And the bill:

H. 705. To amend Act No. 298, S. 341, approved June 29, 1943 (Acts of Alabama, 1943, p. 252) which relates to the Department of Labor; providing for the filing of the report of labor organizations on or before the thirty-first day of March or, if the organization's fiscal year does not coincide with the calendar year, within 90 days after the close of the organization's fiscal year.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Copeland	Hearn	Pierce
Adams	Dickson	Ingram	Powell
Albea	Dodd	Jenkins	Ramey
Avery	Dunn	Johnson (Hardaway)	Rast
Bailey	Engel	Johnson (J. T. Tom)	Roberts
Barnett	Faulk	Johnston (Leonard)	Rozelle
Bassett	Ferguson	Lee	Self
Bevill	Franklin	Locke	Smith (Russell)
Bishop	Gilchrist	McClendon (Chambers)	Smith (St. Clair)
Boyd	Gilmer	McCorquodale	Solomon
Branyon	Glass	Martin	Speaks
Britton	Goldthwaite	Meade	Steagall
Broadfoot	Goodwyn	Merrill	Sullivan
Brooks	Gordon	Morrow	Taylor
Cabiness	Gross	Murphy	Thomas
Callahan	Grouby	Nettles	Torbert
Camp	Guthrie	Nichols	Turner
Casey	Hain	Oakley	Turnham
Cates	Harvey	Phillips	Vickers
Cook	Hawkins		

—78

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Salter to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 1099, was adopted.

And the bill:

H. 1099. To amend further Act No. 46, H. 36, Legislature of 1955, Second Special Session, which regulates the sale of eggs and provides for inspection and grading thereof by amending Sections 1, 6, 7, 8, 11, 12 and 13 of said Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Albea	Bailey	Bassett
Adams	Avery	Barnett	Bishop

Boyd	Franklin	Johnson (J. T. Tom)	Ramey
Branyon	Gilchrist	Johnston (Leonard)	Roberts
Britton	Gilmer	Lee	Rozelle
Broadfoot	Glass	Locke	Smith (Russell)
Brooks	Goldthwaite	Long (Perry)	Smith (St. Clair)
Cabiness	Goodwyn	McCorquodale	Solomon
Camp	Gordon	McLendon (Bullock)	Speaks
Casey	Grant	Martin	Steagall
Cook	Gross	Merrill	Sullivan
Copeland	Grouby	Murphy	Taylor
Cornett	Guthrie	Nettles	Thomas
Dodd	Hain	Nichols	Torbert
Dunn	Harris	Oakley	Turner
Engel	Harvey	Phillips	Turnham
Faulk	Ingram	Pierce	Vickers
Ferguson	Jenkins	Powell	

—71

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Torbert to suspend the rules in order to introduce a bill out of order was adopted.

INTRODUCTION OF BILL

The following bill was introduced, read a first time at length as required by the Constitution, and referred to appropriate standing committee, as follows:

By Messrs. Torbert, Turnham, Nichols and Smith (Russell):

H. 1470. Proposing an amendment to the Constitution of Alabama relative to the board of trustees of Auburn University.

Ways and Means.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Pierce to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 1276, was adopted.

And the bill:

H. 1276. To name the state vocational trade school located in Montgomery County the "John M. Patterson Trade School."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Bevill	Callahan	Dickson
Adams	Bishop	Camp	Dodd
Albea	Boyd	Casey	Dunn
Avery	Branyon	Cates	Engel
Bailey	Britton	Cook	Faulk
Barnett	Brooks	Copeland	Ferguson
Bassett	Cabiness	Cornett	Franklin

Gilchrist	Ingram	Murphy	Self
Glass	Jenkins	Nettles	Sessions
Goldthwaite	Johnson (Hardaway)	Nichols	Shumate
Goodwyn	Johnson (J. T. Tom)	Oakley	Smith (Russell)
Gordon	Johnston (Leonard)	Owens	Smith (St. Clair)
Grant	Lee	Perry	Solomon
Gross	Locke	Phillips	Speaks
Grouby	Long (Perry)	Pierce	Steagall
Guthrie	McClendon (Chambers)	Powell	Sullivan
Hain	McCorquodale	Ramey	Taylor
Hanby	McLendon (Bullock)	Rast	Thomas
Harris	Martin	Roberts	Torbert
Harvey	Meade	Rozelle	Turner
Hawkins	Merrill	Salter	Vickers
Hearn	Morrow		

—86

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Johnson (Hardaway) to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 91, was adopted.

And the bill:

H. 91. To appropriate out of any funds in the state treasury to the credit of the General Fund, not otherwise appropriated, the sum of Twenty-five Thousand Dollars (\$25,000) to the Department of Conservation, Division of State Parks, Monuments and Historical Sites, to be used only for the purchase of lands for the development and restoration of the Fort Toulouse Site in Elmore County, Alabama, and to provide for the lease, sale, swap, exchange, transfer or other disposition of such lands to the United States Government without consideration if the United States Government will recognize said property as a historic site or national monument and will assume the management, control and operation of the Site after so recognizing same as a historic site or national monument.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 2.

Yeas:

Mr. Speaker	Dunn	Harvey	Merrill
Adams	Engel	Hawkins	Morrow
Albea	Faulk	Hearn	Nettles
Avery	Ferguson	Ingram	Oakley
Bailey	Franklin	Jenkins	Owens
Barnett	Gilchrist	Johnson (Hardaway)	Phillips
Bevill	Gilmer	Johnson (J. T. Tom)	Pierce
Boyd	Glass	Johnston (Leonard)	Powell
Branyon	Goldthwaite	Lee	Ramey
Britton	Gordon	Locke	Rast
Cabiness	Grant	Long (Perry)	Roberts
Camp	Gross	McClendon (Chambers)	Rozelle
Cates	Grouby	McCorquodale	Self
Cook	Guthrie	McLendon (Bullock)	Shumate
Cornett	Hain	Martin	Smith (Russell)
Dodd	Harris	Meade	Solomon

Speaks
Steagall

Sullivan
Taylor

Thomas
Torbert

Turner
Vickers

—72

Nays:

Messrs.

Broadfoot

Long (*Lauderdale*)

—2

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Ferguson to suspend the rules in order to introduce a bill out of order was adopted.

INTRODUCTION OF BILL

The following bill was introduced, read one time and referred to appropriate standing committee, as follows:

By Mr. Ferguson:

H. 1471. A bill to confer upon the circuit solicitor and other solicitors in all counties having a population of not less than 100,000 nor more than 115,000 inhabitants according to the last or any subsequent federal decennial census the power to take oaths in support of complaints and to issue warrants in all criminal cases in such counties.

Local Legislation No. 1.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Ferguson to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 1150, was adopted.

And the bill:

H. 1150. To authorize the state board of education and trustees of state institutions to purchase certain liability insurance.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 1.

Yeas:

Mr. Speaker
Adams
Albea
Avery
Barnett
Bassett
Bevill
Boyd
Branyon
Britton
Brooks

Cabiness
Callahan
Camp
Cates
Cook
Cornett
Daniel
Dickson
Dodd
Dunn
Engel

Faulk
Ferguson
Franklin
Gilchrist
Gilmer
Glass
Goldthwaite
Gordon
Grant
Gross
Grouby

Guthrie
Hain
Hanby
Harris
Harvey
Hawkins
Hearn
Ingram
Jenkins
Johnson (*J. T. Tom*)
Johnston (*Leonard*)

Lee	Nettles	Rozelle	Steagall
Locke	Nichols	Self	Sullivan
McClendon (<i>Chambers</i>)	Oakley	Sessions	Taylor
McCorquodale	Phillips	Shumate	Thomas
McLendon (<i>Bullock</i>)	Pierce	Smith (<i>Russell</i>)	Torbert
Martin	Powell	Smith (<i>St. Clair</i>)	Turner
Meade	Ramey	Solomon	Turnham
Morrow	Rast	Speaks	Vickers
Murphy	Roberts		

—78

*Nay:*Mr. Long (*Lauderdale*)

—1

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Oakley to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 832, was adopted.

And the bill:

H. 832. To provide for the licensing and operation of privately owned hunting preserves; to provide the Director of Conservation with the authority to regulate the operation of such preserves; to provide for the cost of the privilege licenses for operating such preserves; to provide for the distribution of all monies accruing to the State under the provisions of this Act and to provide a penalty for the violation of the provisions of this Act.

Was taken up.

Mr. Turnham offered the following amendment to the bill, H. 832:

AMENDMENT TO H. B. 832

In Section 1, after "preserves," strike out "which shall be privately owned and operated,"; also, add at the end thereof the following: This Act shall not apply, however, to privately owned and operated hunting preserves that are not operated for profit and at which no fee is imposed or charge made for hunting or shooting privileges.

And the amendment was adopted.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Britton	Engel	Guthrie
Adams	Brooks	Faulk	Hain
Albea	Cabiness	Franklin	Hanby
Avery	Camp	Gilchrist	Harvey
Bailey	Casey	Gilmer	Hawkins
Barnett	Cook	Glass	Hearn
Bassett	Cornett	Goldthwaite	Ingram
Bevill	Daniel	Gordon	Jenkins
Bishop	Dickson	Grant	Johnson (<i>J. T. Tom</i>)
Boyd	Dodd	Gross	Johnston (<i>Leonard</i>)
Branyon	Dunn	Grouby	Jones (<i>Covington</i>)

Lee	Nichols	Rozelle	Steagall
McClendon (Chambers)	Oakley	Self	Sullivan
McLendon (Bullock)	Phillips	Sessions	Taylor
Martin	Pierce	Shumate	Thomas
Meade	Powell	Smith (Russell)	Torbert
Morrow	Ramey	Smith (St. Clair)	Turner
Murphy	Rast	Solomon	Turnham
Nettles	Roberts	Speaks	Vickers

—76

And said bill, H. 832, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 63; Nays 9.

Yeas:

Mr. Speaker	Dickson	Ingram	Ramey
Adams	Dodd	Jenkins	Rozelle
Albea	Engel	Johnson (J. T. Tom)	Sessions
Avery	Faulk	Johnston (Leonard)	Shumate
Bailey	Franklin	Lee	Smith (Russell)
Barnett	Gilchrist	McClendon (Chambers)	Smith (St. Clair)
Bassett	Gilmer	McLendon (Bullock)	Solomon
Bevill	Glass	Martin	Steagall
Boyd	Gordon	Meade	Sullivan
Branyon	Gross	Murphy	Taylor
Britton	Grouby	Nettles	Thomas
Brooks	Hain	Nichols	Torbert
Cabiness	Hanby	Oakley	Turner
Casey	Harvey	Phillips	Turnham
Cook	Hawkins	Pierce	Vickers
Cornett	Hearn	Powell	

—63

Nays.

Messrs.	Cates	Grant	Harris
Callahan	Daniel	Guthrie	Speaks
Camp	Dunn		

—9

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. McCorquodale to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 376, was adopted.

And the bill:

H. 376. For the relief of Martin McCrory.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Cook	Hain	Oakley
Adams	Copeland	Hanby	Phillips
Albea	Cornett	Harris	Pierce
Avery	Daniel	Harvey	Ramey
Barnett	Dickson	Hearn	Rozelle
Bassett	Dodd	Ingram	Salter
Bevill	Dunn	Jenkins	Self
Bishop	Engel	Johnson (J. T. Tom)	Sessions
Boyd	Faulk	Johnston (Leonard)	Shumate
Branyon	Ferguson	Lee	Smith (Russell)
Britton	Franklin	McClendon (Chambers)	Solomon
Broadfoot	Gilmer	McCorquodale	Speaks
Brooks	Glass	McLendon (Bullock)	Steagall
Cabiness	Goldthwaite	Martin	Thomas
Callahan	Grant	Meade	Torbert
Camp	Gross	Murphy	Turnham
Casey	Grouby	Nettles	Vickers
Cates	Guthrie	Nichols	

—71

SPECIAL ORDER

The House again proceeded to the consideration of the special order.

And the bill:

H. 854. (with amendment). To create a judicial conference for the State of Alabama; to prescribe the membership thereof, their duties, terms of office, and compensation.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

Amend H. B. 854 by striking therefrom Sections 1, 2 and 7 and inserting in lieu therefor the following:

“Section 1. A judicial conference for the State of Alabama is hereby created, which shall consist of the chief justice of the supreme court of Alabama and two associate justices of such court, designated by the chief justice; the presiding judge of the court of appeals; three circuit judges of the state, designated by the president of the association of circuit judges; three lawyers who are members in good standing of the Alabama Bar, designated by the president of the Alabama State Bar; and the Attorney General of the State of Alabama.

“Section 2. The chief justice of the supreme court, the associate justices of such court; the presiding judge of the court of appeals; and the attorney general shall serve as members of such conference during their respective terms of office. The first circuit judges and lawyers shall be appointed, one for a term of one year, one for a term of two years, and one for a term of three years. Thereafter their successors shall be appointed for terms of three years.

"Section 7. Judges and the Attorney General attending meetings of the conference shall not be entitled to additional compensation; however, they may be reimbursed their actual and necessary expenses incurred in attending such meetings at the same rate that they are reimbursed for expenses when traveling on official business within the state. The lawyer members of the conference shall receive as compensation for their services on the conference the sum of \$25 a day for each day on which the conference meets and in addition thereto they may be reimbursed their actual and necessary expenses incurred in attending the meetings at the same rate that the circuit judges are reimbursed for their expenses. The per diem and expenses hereby authorized shall be paid from any funds in the state treasury appropriated to the supreme court of Alabama, upon claims therefor approved by the chief justice of the supreme court."

And the amendment was adopted.

Yeas 61; Nays 7.

Yeas:

Mr. Speaker	Dickson	Hanby	Phillips
Adams	Dodd	Ingram	Pierce
Albea	Dunn	Johnson (Hardaway)	Powell
Bailey	Engel	Johnson (J. T. Tom)	Ramey
Bassett	Ferguson	Johnston (Leonard)	Rozelle
Bevill	Franklin	Lee	Self
Boyd	Gilchrist	Locke	Sessions
Brannan	Gilmer	McCorquodale	Shumate
Britton	Goldthwaite	Martin	Smith (Russell)
Cabiness	Goodwyn	Merrill	Smith (St. Clair)
Callahan	Gordon	Murphy	Solomon
Camp	Gross	Nettles	Speaks
Casey	Grouby	Nichols	Steagall
Cook	Guthrie	Oakley	Sullivan
Cornett	Hain	Perry	Thomas
Daniel			

—61

Nays:

Messrs.	Bishop	Broadfoot	Taylor
Barnett	Branyon	Jenkins	Turnham

—7

And said bill, H. 854, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 64; Nays 11.

Yeas:

Mr. Speaker	Camp	Engel	Guthrie
Adams	Casey	Franklin	Hain
Albea	Cook	Gilchrist	Hanby
Bassett	Copeland	Gilmer	Harvey
Bevill	Cornett	Goldthwaite	Hearn
Boyd	Daniel	Goodwyn	Ingram
Brannan	Dickson	Gordon	Johnson (Hardaway)
Britton	Dodd	Gross	Johnson (J. T. Tom)
Cabiness	Dunn	Grouby	Lee

Locke	Nichols	Ray	Solomon
McCorquodale	Phillips	Rozelle	Speaks
McLendon (Bullock)	Pierce	Self	Steagall
Martin	Powell	Sessions	Sullivan
Meade	Pruitt	Shumate	Thomas
Murphy	Ramey	Smith (Russell)	Torbert
Nettles	Rast	Smith (St. Clair)	Turner

—64

Nays:

Messrs.	Barnett	Broadfoot	Long (Lauderdale)
Avery	Bishop	Ferguson	Taylor
Bailey	Branyon	Jenkins	Turnham

—11

MOTION TO ADJOURN LOST

The motion of Mr. Glass that the House adjourn until Friday, August 25, 1961, at ten o'clock A. M. was lost.

Yeas 46; Nays 48.

Yeas:

Messrs.	Dickson	Jenkins	Perry
Albea	Dodd	Johnson (Hardaway)	Phillips
Avery	Dunn	Johnston (Leonard)	Pruitt
Barnett	Edwards	Locke	Ramey
Bassett	Glass	Long (Perry)	Rast
Bishop	Gordon	McClendon (Chambers)	Self
Boyd	Grant	McCorquodale	Sessions
Branyon	Hanby	Martin	Solomon
Britton	Harris	Merrill	Steagall
Broadfoot	Harvey	Morrow	Sullivan
Camp	Hearn	Nichols	Taylor
Copeland	Ingram	Owens	

—46

Nays:

Mr. Speaker	Engel	Jones (Covington)	Roberts
Adams	Faulk	Lee	Rozelle
Bailey	Ferguson	Long (Lauderdale)	Salter
Bevill	Franklin	McLendon (Bullock)	Shumate
Brannan	Gilchrist	Meade	Smith (Russell)
Cabiness	Goldthwaite	Murphy	Smith (St. Clair)
Callahan	Goodwyn	Nettles	Speaks
Casey	Gross	Oakley	Thomas
Cates	Grouby	Oden	Torbert
Cook	Guthrie	Pierce	Turner
Cornett	Hain	Powell	Turnham
Daniel	Johnson (J. T. Tom)	Ray	Vickers

—48

BILLS ON THIRD READING RESUMED
SPECIAL ORDER

The House again proceeded to the consideration of the special order.

And the bill:

H. 855. To amend Section 1 of Act No. 936, H. 652, approved September 12, 1951, entitled "An Act To fix and designate the salary of supernumerary circuit judges, their tenure of office and to prescribe their duties, and to refund to them their reasonable expenses for travel and hotel bills while engaged in their official duties in counties other than that of their residence" (Acts of Alabama 1951, vol. II, p. 1605), in relation to the compensation and allowances of supernumerary circuit judges.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 62; Nays 8.

Yeas:

Mr. Speaker	Daniel	Harvey	Ramey
Adams	Dodd	Johnston (Leonard)	Ray
Albea	Dunn	Lee	Rozelle
Bailey	Engel	Locke	Salter
Bassett	Ferguson	Long (Perry)	Self
Bevill	Franklin	McClendon (Chambers)	Shumate
Bishop	Gilmer	McCorquodale	Smith (Russell)
Boyd	Goldthwaite	Martin	Smith (St. Clair)
Brannan	Gordon	Murphy	Solomon
Brooks	Grant	Nettles	Speaks
Cabiness	Gross	Nichols	Steagall
Camp	Grouby	Oakley	Thomas
Casey	Guthrie	Pierce	Torbert
Cates	Hain	Powell	Turnham
Copeland	Hanby	Pruitt	Vickers
Cornett	Harris		

—62

Nays:

Messrs.	Broadfoot	Johnson (Hardaway)	Owens
Avery	Callahan	Long (Lauderdale)	Phillips
Branyon			

—8

And the bill:

H. 856. To amend Section 2 of Act No. 288, S. 161, approved July 7, 1945 (General Acts of Alabama 1945, p. 478), which relates to supernumerary circuit judges.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 67; Nays 5.

Yeas:

Mr. Speaker	Bevill	Cabiness	Cornett
Adams	Bishop	Camp	Daniel
Albea	Boyd	Casey	Dodd
Bailey	Brannan	Cates	Dunn
Bassett	Brooks	Copeland	Engel

Faulk	Harvey	Nichols	Shumate
Ferguson	Hearn	Oakley	Smith (Russell)
Franklin	Johnson (J. T. Tom)	Perry	Smith (St. Clair)
Gilchrist	Johnston (Leonard)	Pierce	Solomon
Goldthwaite	Lee	Powell	Speaks
Gordon	Locke	Pruitt	Steagall
Grant	Long (Perry)	Ramey	Sullivan
Grouby	McClendon (Chambers)	Ray	Thomas
Guthrie	McCorquodale	Roberts	Torbert
Hain	Martin	Rozelle	Turnham
Hanby	Murphy	Self	Vickers
Harris	Nettles	Sessions	

—67

Nays :

Messrs.	Broadfoot	Johnson (Hardaway)	Long (Lauderdale)
Branyon	Callahan		

—5

And the bill:

H. 857. To amend further Section 33 of Title 13, Code of Alabama 1940, in relation to the salaries of supernumerary justices.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 48; Nays 28.

Yeas :

Mr. Speaker	Engel	Harvey	Rozelle
Adams	Faulk	Johnson (J. T. Tom)	Sessions
Bevill	Franklin	Johnston (Leonard)	Shumate
Brannan	Gilchrist	Lee	Smith (Russell)
Britton	Gilmer	Locke	Smith (St. Clair)
Cabiness	Goldthwaite	Martin	Solomon
Camp	Goodwyn	Murphy	Steagall
Casey	Gordon	Nichols	Sullivan
Cook	Gross	Pierce	Thomas
Cornett	Guthrie	Powell	Torbert
Dodd	Hain	Pruitt	Turner
Dunn	Hanby	Ray	Vickers

—48

Nays :

Messrs.	Brooks	Harris	Long (Perry)
Albea	Callahan	Hearn	Merrill
Bailey	Copeland	Ingram	Oakley
Bassett	Daniel	Jenkins	Phillips
Bishop	Ferguson	Johnson (Hardaway)	Ramey
Boyd	Grant	Jones (Covington)	Salter
Branyon	Grouby	Long (Lauderdale)	Self
Broadfoot			

—28

And the bill:

H. 858. To amend Sections 2 and 3, as amended, of Act No. 228, S.

21, approved July 31, 1947, an act providing for additional supernumerary judges (General Acts of Alabama 1947, p. 92).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 47; Nays 22.

Yeas:

Mr. Speaker	Dodd	Harvey	Ray
Adams	Engel	Hearn	Rozelle
Bevill	Faulk	Johnson (J. T. Tom)	Sessions
Brannan	Franklin	Johnston (Leonard)	Smith (Russell)
Britton	Gilmer	Lee	Smith (St. Clair)
Cabiness	Goldthwaite	Locke	Solomon
Callahan	Gordon	Murphy	Steagall
Camp	Grant	Nichols	Sullivan
Casey	Gross	Pierce	Thomas
Cook	Guthrie	Powell	Torbert
Cornett	Hain	Pruitt	Vickers
Daniel	Hanby	Ramey	

—47

Nays:

Messrs.	Branyon	Ingram	Oakley
Albea	Broadfoot	Johnson (Hardaway)	Owens
Bailey	Copeland	Jones (Covington)	Phillips
Bassett	Ferguson	Long (Lauderdale)	Salter
Bishop	Grouby	Long (Perry)	Self
Boyd	Harris	Merrill	

—22

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Turner to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 1050, was adopted.

And the bill:

H. 1050. To authorize county governing bodies to make appropriations to support vocational trade schools or other similar institutions in which residents of the county or dependents of such residents are enrolled or are entitled to be enrolled.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Bishop	Brooks	Copeland
Adams	Boyd	Cabiness	Daniel
Albea	Brannan	Callahan	Dickson
Bailey	Branyon	Camp	Dodd
Bassett	Britton	Casey	Engel
Bevill	Broadfoot	Cook	Faulk

Ferguson	Ingram	Murphy	Salter
Franklin	Johnson (Hardaway)	Nettles	Self
Glass	Johnston (Leonard)	Nichols	Sessions
Goldthwaite	Jones (Covington)	Oakley	Shumate
Gordon	Lee	Owens	Smith (Russell)
Grant	Locke	Phillips	Solomon
Grouby	Long (Perry)	Pierce	Steagall
Guthrie	McClendon (Chambers)	Powell	Sullivan
Hain	McCorquodale	Pruitt	Taylor
Hanby	Merrill	Ramey	Thomas
Harris	Morrow	Rast	Turner
Harvey		Rozelle	Vickers
Hearn			

—73

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Turner to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 891, was adopted.

And the bill:

H. 891. To authorize the State Board of Agriculture and Industries to establish a program for the prevention, control and eradication of brucellosis or bangs disease in cattle and to prescribe the powers, authority and duties of the Commissioner of Agriculture and Industries and the State Veterinarian relative thereto; to authorize the State Board of Agriculture and Industries to prescribe methods and procedures for calfhooed vaccination against brucellosis together with other methods and procedures for testing and vaccinating cattle for the control and eradication of such disease; to authorize the State Board of Agriculture and Industries to adopt rules and regulations for a brucellosis disease control and eradication program and to prescribe a penalty for violations thereof; to repeal Act No. 410 of the Legislature of 1947, approved September 25, 1947 (General Acts of 1947, page 298).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Cornett	Hanby	Murphy
Adams	Daniel	Harris	Nettles
Albea	Dickson	Harvey	Nichols
Bailey	Dodd	Hearn	Oakley
Bassett	Dunn	Ingram	Owens
Bevill	Engel	Johnson (Hardaway)	Perry
Bishop	Faulk	Johnson (J. T. Tom)	Phillips
Boyd	Ferguson	Johnston (Leonard)	Pierce
Brannan	Franklin	Jones (Covington)	Powell
Branyon	Gilmer	Lee	Pruitt
Britton	Glass	Locke	Ramey
Broadfoot	Goldthwaite	Long (Lauderdale)	Rast
Brooks	Gordon	Long (Perry)	Rozelle
Cabiness	Grant	McClendon (Chambers)	Salter
Camp	Gross	McCorquodale	Self
Casey	Grouby	McLendon (Bullock)	Sessions
Cook	Guthrie	Merrill	Smith (Russell)
Copeland	Hain	Morrow	Solomon

Steagall
Sullivan

Taylor
Thomas

Torbert

Vickers

—78

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Turner to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 1126, was adopted.

And the bill:

H. 1126. To make an appropriation of funds to finance a poultry and egg research program and to prescribe a method to establish and carry out such a program.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 1.

Yeas:

Mr. Speaker	Dickson	Harvey	Owens
Adams	Dodd	Hearn	Perry
Albea	Dunn	Ingram	Phillips
Bailey	Engel	Johnson (Hardaway)	Pierce
Bassett	Faulk	Johnson (J. T. Tom)	Powell
Bishop	Ferguson	Johnston (Leonard)	Pruitt
Boyd	Franklin	Jones (Covington)	Ramey
Brannan	Gilmer	Lee	Rast
Branyon	Glass	Locke	Rozelle
Britton	Goldthwaite	Long (Perry)	Salter
Broadfoot	Gordon	McClendon (Chambers)	Self
Cabiness	Grant	McCorquodale	Sessions
Camp	Gross	McLendon (Bullock)	Solomon
Casey	Grouby	Merrill	Steagall
Cook	Guthrie	Morrow	Sullivan
Copeland	Hain	Nettles	Taylor
Cornett	Hanby	Nichols	Thomas
Daniel	Harris	Oakley	Vickers

—72

Nay:

Mr. Shumate

—1

SPECIAL ORDER

The House again proceeded to the consideration of the special order.

And the bill:

H. 1024. To amend Sections 2, 3, and 4 of Act No. 474, S. 219, Regular Session 1953, entitled "An Act to provide supernumerary circuit solicitors of the State of Alabama; to provide the conditions under which a circuit solicitor may become a supernumerary circuit solicitor; to prescribe the qualifications, duties, powers, authority, compensation, method of re-

moval from office of such supernumerary circuit solicitors; to provide for filling vacancies created by a circuit solicitor becoming a supernumerary circuit solicitor; to provide for reimbursement to such supernumerary circuit solicitors their reasonable expenses incurred for travelling on official business in counties other than that of their residence, and to appropriate funds for the payment of compensation and expenses of such supernumerary circuit solicitors," (Acts of Alabama 1953, Vol. I, page 589).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 63; Nays 7.

Yeas:

Mr. Speaker	Dickson	Hain	Phillips
Adams	Dodd	Hanby	Pierce
Bailey	Dunn	Harris	Powell
Barnett	Engel	Harvey	Pruitt
Bassett	Faulk	Hearn	Ramey
Bevill	Ferguson	Jones (Covington)	Rast
Boyd	Franklin	Lee	Rozelle
Brannan	Gilmer	Locke	Self
Britton	Glass	McCorquodale	Sessions
Cabiness	Goldthwaite	McLendon (Bullock)	Steagall
Callahan	Goodwyn	Martin	Sullivan
Camp	Gordon	Morrow	Taylor
Cates	Grant	Nettles	Thomas
Cook	Gross	Nichols	Turner
Cornett	Grouby	Oakley	Vickers
Daniel	Guthrie	Perry	

—63

Nays:

Messrs.	Bishop	Broadfoot	Long (Perry)
Albea	Branyon	Copeland	Shumate

—7

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Smith (Russell) to suspend the rules in order to take up for immediate consideration of the bill, H. 203, was adopted.

And the bill:

H. 203. (with substitute). To implement the provisions of that certain Constitutional Amendment that was proposed by Act No. 151 adopted at the 1957 Regular Session of the Legislature of Alabama and that authorizes the state to engage in works of internal improvement by promoting, developing, constructing, maintaining and operating along navigable streams and waterways of Alabama all manner of docks and facilities of every kind, in aid of commerce and use of waterways of the state, and to incur indebtedness and issue bonds for said purpose; to authorize the state to engage in such works of internal improvement at an additional cost of not exceeding \$3,500,000; to designate the Alabama State Docks Department and any department or agency of the state that may succeed to its functions as the agency to undertake, manage, operate and control such

improvements; to prescribe the powers, duties and authority of said department in connection therewith; to provide for the acquisition of property to carry out the purposes of this act and for the exercise of the power of eminent domain with regard thereto; to authorize the state to become indebted to the extent of not exceeding \$3,500,000 in principal amount to carry out the provisions of this act and to issue its interest bearing direct general obligation bonds therefor; to prescribe in general the terms of the bonds and the method and manner of the sale and issuance thereof; to provide the use of proceeds from the sale of the bonds; to authorize the state to issue its refunding bonds for the purpose of refunding any of the bonds issued pursuant to the said Constitutional Amendment; to provide for the payment of any indebtedness evidenced by bonds issued pursuant to this act, to make appropriation therefor, and to pledge the full faith and credit of the state to the payment of such indebtedness; to provide for the use of funds obtained from the operation of the improvements constructed with proceeds of any bonds issued under the provisions of said Constitutional Amendment; to authorize the use of personnel of the department at the Port of Mobile for the construction and operation of the improvements constructed with proceeds of any bonds issued under said Constitutional Amendment and the fair allocation of their compensation and expenses; to prohibit the use of revenues of the department derived from the operation of the state docks facilities at the Port of Mobile to pay any of the expenses of acquiring, maintaining or operating the improvements constructed with proceeds from the sale of bonds issued under said Constitutional Amendment, or to pay the principal of or interest on any of the bonds issued under said Constitutional Amendment; to provide for the investment of the proceeds from the sale of any of the bonds issued pursuant to the said Constitutional Amendment and of any funds derived from said improvements pending need for such funds; to require the maintenance of records of the total cost of the gross revenues from, and the expenses of operating each unit of development acquired, constructed, or operated pursuant to the provisions of this act, Act No. 98 adopted at the 1959 Regular Session of the Legislature, or Act No. 311 adopted at the 1957 Regular Session of the Legislature; to authorize the said department to fix and collect reasonable rates and charges for services rendered by, and for use of, facilities established pursuant to this act; to authorize the revocation of certain licenses; and to exempt the bonds and the interest thereon from taxation.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Ways and Means, said committee substitute being as follows:

**A BILL
TO BE ENTITLED
AN ACT**

To implement the provisions of that certain Constitutional Amendment that was proposed by Act No. 151 adopted at the 1957 Regular Session of the Legislature of Alabama and that authorizes the State to engage in works of internal improvement by promoting, developing, constructing, maintaining and operating along navigable streams and waterways of Alabama all manner of docks and facilities of every kind, in aid of commerce and use of waterways of the State, and to incur indebtedness and issue bonds for said purpose; to authorize the State to engage in such works of internal improvement at an additional cost of not exceeding \$1,500,000; to designate the Alabama State Docks Department and any department or agency of the State that may succeed to its functions as the Agency to

undertake, manage, operate and control such developments and improvements; to prescribe the powers, duties and authority of said Department in connection therewith; to authorize the State to become indebted to the extent of not exceeding \$1,500,000 in principal amount to carry out the provisions of this Act and to issue its interest bearing direct general obligation bonds therefor; to prescribe in general the terms of such bonds and the method and manner of the sale and issuance thereof; to exempt the same and the interest thereon from taxation; to provide for the payment of any indebtedness evidenced by bonds issued pursuant to this Act and to pledge the full faith and credit of the State to the payment of such indebtedness; to provide for the refunding thereof; to provide the use of funds obtained pursuant to the provisions of this Act; to provide for the acquisition of property for the purposes of this Act and for the exercise of the power of eminent domain with regard thereto; to prescribe the powers and duties of the Governor, the said Department and other officers of the State in carrying out the provisions of this Act; to authorize the said Department to fix and collect reasonable rates and charges for services rendered by, and for use of, facilities established pursuant to this Act; and to require the maintenance of records of the total cost of, the gross revenues from, and the expenses of operating, each unit of development acquired, constructed, or operated pursuant to the provisions of this Act or Act No. 311 adopted at the 1957 Regular Session of the Legislature or Act No. 98 adopted at the 1959 Regular Session of the Legislature.

Be It Enacted by the Legislature of Alabama:

Section 1. Definitions. The words and phrases hereinafter set forth, wherever used in this Act, shall have the respective meanings hereinafter ascribed to them. "1957 Docks Amendment" means that certain amendment to the Constitution of Alabama that was proposed by Act No. 151 adopted at the 1957 Regular Session of the Legislature of Alabama. "The State" means the State of Alabama. "The Department" means the Alabama State Docks Department created by Act No. 103 adopted at the 1955 Regular Session of said Legislature and any department or agency of the State that may succeed to its duties. "Dock facilities" means docks and all kinds of dock facilities, including elevators, warehouses, water and rail terminals, wharves, piles, quays, compresses, and other related structures, facilities and improvements that may be needed for the convenient use of the same. "1957 Docks Act" means Act No. 311 adopted at the 1957 Regular Session of said Legislature. "1959 Docks Act" means Act No. 98 adopted at the 1959 Regular Session of the Legislature. "The bonds" means those issued hereunder. "Unit of development" means any one or more dock facilities acquired pursuant to the provisions of either this Act or the 1957 Docks act or the 1959 Docks Act which may be designated by the Department as a unit of development for the purposes of this Act; provided, that several dock facilities may be together designated as one unit of development only if they are contiguous to each other or closely related for purposes of use and operation. The definitions herein set forth include both the singular and the plural.

Section 2. Authorization of Dock Facilities at Additional Cost of \$1,500,000. In addition to the authority granted to the State by the provisions of any other law, the State is hereby expressly authorized and empowered, at an additional cost to the State of not exceeding \$1,500,000, to engage in works of internal improvement by promoting, developing, constructing, maintaining and operating along navigable rivers, streams or waterways now or hereafter existing within the State, all manner of dock facilities, in aid of commerce and use of the waterways of this State, all pursuant to the provisions of the 1957 Docks Amendment. All such works,

improvements and facilities shall always be and remain under the management and control of the Department. The Department shall be the agency of the State by which the State shall accomplish the acquisition, construction, maintenance and operation of dock facilities hereunder and shall, in general, accomplish the purposes of this Act.

Section 3. Cost to the State. The authorization herein granted to the State of engaging in the aforesaid works of internal improvement at a cost of not exceeding \$1,500,000 is in addition to the authorization in the amount of \$3,000,000 granted by the 1957 Docks Act, and to the authorization in the amount of \$3,500,000 granted by the 1959 Docks Act, thus bringing to the aggregate sum of \$8,000,000 the total authorization presently and heretofore granted by the Legislature pursuant to the provisions of the 1957 Docks Amendment. The use of revenues derived from operation of dock facilities shall not be deemed the incurring of cost by the State within the meaning of this section.

Section 4. Exercise of Powers Hereunder. The State, acting through the Department, shall, in engaging in the works of internal improvement authorized by this Act, have the power to acquire, purchase, install, lease, construct, own, hold, maintain, equip, control and operate along navigable rivers, streams or waterways now or hereafter existing within the State, and at river ports or landings along such navigable rivers, streams or waterways, dock facilities of all kinds, in aid of commerce and use of navigable waterways of the State, to the fullest extent practicable and to such extent as the Department shall deem desirable or proper. The authority herein granted shall include the completion of any dock facilities originally acquired under the provisions of the 1957 Docks Act, or the 1959 Docks Act; and also the dredging of approaches to any dock facilities, acquired, erected, maintained or operated pursuant to this Act, or the 1957 Docks Act, or the 1959 Docks Act. Before the Department shall exercise the authority vested in it hereby with respect to any dock facilities or any dredging of the approaches thereto, the Department shall first submit plans, including estimates of cost, prepared by competent engineers or architects, and a survey made by competent independent and professional engineers showing the economic feasibility of the proposal envisaged by such plans, to the Governor for his approval or disapproval; and in the event of the Governor's disapproval, the plans shall either be abandoned or be revised and again submitted to the Governor for his approval or disapproval. Prior to the commencement of any construction, dredging, or other work hereunder for which a permit from, or the consent of, any United States authorities may be required by law, the Department shall obtain the requisite permit or consent.

Section 5. Authority Herein Granted is in Addition to Existing Authority of State Docks Department. All administration, supervision, authority and responsibility under this Act and operations conducted hereunder, vested in the Department, shall be in addition to all power, duties and authority conferred on the Department by any other statute, it being the intent of this Act that the authority, powers, responsibilities and duties imposed by this Act shall be in addition to and supplemental of the powers, authority, responsibilities and duties conferred or imposed on the Department by any other laws of the State.

Section 6. Acquisition of Property. In acquiring rights of way and property necessary for the construction of dock facilities and convenient approaches thereto in furtherance of the purposes of this Act, the Department shall have the power to acquire same by gift, lease, purchase, negoti-

ation or condemnation. The Department shall have all powers with respect to the condemnation of properties for the purposes of this Act that were granted to that department in the 1957 Docks Act; and the exercise of such powers hereunder shall be subject to all limitations and conditions prescribed in the 1957 Docks Act.

Section 7. Current Indebtedness Hereunder. In any operations conducted under this Act, the Department may contract such current indebtedness as is necessarily incident to the progress of the work in accordance with the terms of this Act.

Section 8. The Bonds. In order to provide funds for the purposes of this Act, there are hereby authorized to be sold and issued bonds of the State not exceeding \$1,500,000 in aggregate principal amount, under and subject to the provisions hereinafter set forth. The bonds shall be designated as Inland Waterway Improvement Bonds of the State. The bonds shall be general obligations of the State, for payment of the principal of and interest on which the full faith and credit of the State are hereby irrevocably pledged. The bonds may be issued from time to time in one or more series, shall bear an appropriate series designation, shall be in such form and denominations and of such tenor and maturities, shall bear such rate or rates of interest payable in such manner, may contain provisions for redemption prior to maturity, and may contain other provisions not inconsistent herewith, all as shall be set forth in an order or resolution of the Department; provided, that the first installment of principal of the bonds of each series must mature not later than ten years from the date of such series and the last installment of principal of the bonds of any series must mature not later than thirty years from such date; and provided, further, that any of the bonds having a stated maturity more than five years after its date shall be made subject to redemption at the option of the State at the end of the fifth year after the date of such bond and on any interest payment date thereafter under such terms and conditions as may be provided in the order or resolution whereunder such bond is authorized to be issued. The bonds shall be signed in the name of the State by either the facsimile or manually subscribed signatures of the Governor or the Director of the Department, and the Great Seal of the State, or a facsimile thereof, shall be affixed thereto or engraved, lithographed, or imprinted thereon and attested by either the facsimile or manually subscribed signature of the Secretary of State; provided, that the signature on the bonds of any one of the said officials shall be subscribed manually thereon. The bonds may be in either bearer or registered form, either as to principal or interest or both. Interest on the bonds shall be payable semiannually, interest on coupon bonds being evidenced by interest coupons attached thereto, each of which coupons shall be authenticated by the facsimile signature of the State Treasurer imprinted thereon. Bonds issued in coupon form may be exchanged for fully registered bonds or bonds registered as to principal only. Coupon bonds and registered bonds shall be interchangeable; and upon issuance of a coupon bond for a registered bond, all matured and unearned coupons on said bond shall be by the State Treasurer first clipped from said bond and then cancelled. Regulations for the registration of bonds and for interchange of registered and coupon bonds shall be set forth in the order or resolution authorizing the issuance of such bonds. The State Treasurer shall maintain a record of all of the bonds issued hereunder, and shall maintain a separate record of all of the bonds that are registered, including a record of the names and addresses of the registered holders thereof. No order or resolution providing for the authorization or sale of any of the bonds shall become effective until approved by the Governor. The action of the Department in adopting an order or resolution authorizing the sale of any of the bonds, and the action

of the Governor in approving such order or resolution, shall be conclusive evidence that the funds to be derived from the bonds so authorized to be sold are actually needed at the time for the purposes for which bonds are herein authorized to be issued and that the proceeds of such bonds are intended only for such purposes.

Section 9. Sale of the Bonds. The bonds must be sold only at public sale, either on sealed bids or at public auction, to the bidder whose bid reflects the lowest net interest cost to the State for the bonds being sold, computed to their respective maturities; provided, that if no bid acceptable to the Department and the Governor is received all bids may be rejected. Notice of each such sale shall be given by publication in either a financial journal or a financial newspaper published in the City of New York, New York, and also by publication in a newspaper published in the State which is customarily published not less often than six days during each calendar week, each of which notices must be published at least one time not less than ten days prior to the date fixed for the sale. The Department may fix the terms and conditions under which each such sale may be held; provided, that none of the bonds may be sold for a price less than the face value thereof; and provided further, that such terms and conditions shall not conflict with any of the requirements of this Act.

Section 10. Proceeds from the Sale of the Bonds. The proceeds from the sale of any of the bonds shall be paid into the State Treasury and kept by the State Treasurer in a separate account and paid over to the Secretary-Treasurer of the Department from time to time in such amounts as shall be directed by the Governor and the money so paid over to the Secretary-Treasurer of the Department shall be held and used only for the accomplishment of the purposes of this Act, and specifically for payment of the cost of acquiring, by construction or otherwise, maintaining and operating, or any of them, dock facilities along navigable streams and waterways now or hereafter existing within the State, in aid of commerce and use of navigable water ways of the State. The cost of acquiring any dock facilities shall be deemed to include, inter alia, (a) fees of engineers and attorneys and other expenses incidental to such acquisition; (b) the cost of issuing those of the bonds that may be issued to provide funds for such acquisition; and (c) interest on such bonds during such period of time, not exceeding three years from the date of the completion of said dock facilities, as may be specified in the order or resolution authorizing the issuance of such bonds as the period of time estimated by the Department to be required for placing the said dock facilities in profitable operation.

Section 11. Revenues from Dock Facilities. The proceeds derived from the operation of each unit of development acquired or constructed pursuant to the provisions of this Act shall be applied for the following purposes in the following order: (a) payment of the expenses of operating dock facilities acquired, constructed or operated pursuant to the provisions of this Act; (b) payment at their respective maturities of the principal of and interest on any bonds issued pursuant to the provisions of this Act; (c) establishment and maintenance of a sinking fund for retirement of any bonds issued pursuant to the provisions of this Act, into which there shall be paid monthly, beginning at the end of the first twelve months following the completion of each unit of development acquired or constructed hereunder, one-half of one per centum of the cost of each such unit of development, not exceeding, however, one-half of the gross income of such unit of development received during the month preceding the making of such monthly payment. The proceeds from each unit of development acquired, constructed or operated pursuant to the provisions of this Act remaining after compliance with the foregoing sentence shall be used for such of the

following purposes as may from time to time be designated by the Department: (a) payment of expenses of operating any dock facility or facilities constructed pursuant to the provisions of the 1957 Docks Amendment; and (b) payment at their respective maturities of the principal of and interest on any bonds at any time issued pursuant to the 1957 Docks Amendment. With respect to the revenues from any dock facilities, the acquisition construction or operation of which was financed in part with bonds issued under the 1957 Docks Act or the 1959 Docks Act and in part with bonds issued under this Act, the provisions of this section shall be subject to the provisions of Sections 9 and 10 of the 1957 Docks Act. The retention by the Department of such revenues as may be reasonably required for operating capital for dock facilities acquired, constructed or operated pursuant to the provisions of this Act shall be deemed a retention of moneys for operating expenses within the meaning of this section. Moneys in the sinking fund provided for in this section shall be used only for the purpose of retirement of the bonds, either by payment of the principal thereof or the interest thereon at their respective maturities, redemption of the bonds prior to maturity pursuant to any redemption provisions that may be contained in the order or resolution whereunder such bonds are issued or purchase of any of the bonds for cancellation and retirement at a purchase price not exceeding the face value thereof plus a premium equal to twelve months' interest thereon; provided, that pending use of moneys in said sinking fund for the purposes specified in this sentence such moneys may, in the discretion of the Department with the approval of the Governor, be invested in securities which are direct general obligations of the United States.

Section 12. Refunding Bonds and Investments. The State may at any time and from time to time issue refunding bonds for the purpose of refunding the principal of and the interest on any matured or unmatured bonds of the State then outstanding which were theretofore issued under any one or more of this Act, or the 1957 Docks Act, or the 1959 Docks Act, the proceeds derived from the sale of such refunding bonds shall be paid to the State Treasurer and disbursed on order or resolution of the department solely to refund and retire those bonds for the refunding of which such refunding bonds are authorized to be issued, and to pay the expenses incurred in such refunding; provided, that pending the time such refunding can be consummated such proceeds may be invested as authorized in Section 11 of this Act. All provisions of this Act pertaining to bonds issued under this Act that are not inconsistent with the provisions of this section shall, to the extent applicable, also apply to the refunding bonds issued hereunder. Any of the funds provided for herein, when not needed for current obligations, may, at the discretion of the Director, with the approval of the Governor, be invested in direct obligations of the United States of America, and the earnings thereon shall be used in the same manner as is directed for the use of the principal amount authorized by this Act.

Section 13. Separate Records as to Each Unit of Development. The Department shall establish and maintain a separate record with respect to each unit of development that may have been or may be acquired, constructed or operated in whole or in part under the provisions of this Act or the 1957 Docks Act, or the 1959 Docks Act. Each such separate record shall show (a) the total amount of the Capital investment in each such unit of development, including (i) the amount of such capital investment derived from the proceeds of the bonds issued hereunder or under the 1957 Docks Act or the 1959 Docks Act; and (ii) the amount, if any, of the said capital investment derived from any other source; (b) the expenses of operating each such unit of development; and (c) the gross revenues derived from the operation of each such unit of development. In the event any

proceeds from bonds issued either under this Act or the 1957 Docks Act or the 1959 Docks Act shall be used to pay any of the operating expenses of any unit of development, the amount of bond proceeds so used shall be deemed a part of the capital investment in such unit of development.

Section 14. Authorization of Charges. The Department shall have the right and power to fix from time to time and to collect reasonable rates and charges for services rendered by, and for the use of, dock facilities acquired, constructed or operated pursuant to the provisions of this Act.

Section 15. Revocation of Licenses. Any license heretofore granted by the State, either expressly or by implication, permitting the upland owner to occupy any part of the space between the high water mark and the low water mark of any navigable waterway of this State, or along the banks of any river, stream or waterway of this State, may be revoked or cancelled by the Department in the same manner and subject to the same conditions as those set forth in Section 16 of the 1957 Docks Act.

Section 16. Bonds and Interest Thereon Exempt from Taxation. Any bonds issued pursuant to the authority of this Act and the interest thereon shall be exempt from all taxation by the State of Alabama or any political subdivision thereof.

Section 17. Severability. If any portion of this Act should be held invalid for any cause, such invalidity shall not affect the remaining portions of this Act, which shall remain in full force and effect as to all portions thereof not declared invalid, the Legislature hereby expressly declaring that it would have adopted the remaining portions of this Act notwithstanding the portion thereof declared to be invalid.

Section 18. Effective Date of this Act. This Act shall become effective upon its passage and approval by the Governor or its otherwise becoming a law.

And the substitute was adopted.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Engel	Ingram	Powell
Adams	Faulk	Jenkins	Fruitt
Albea	Ferguson	Johnson (J. T. Tom)	Rast
Bailey	Franklin	Johnston (Leonard)	Rozelle
Barnett	Gilchrist	Jones (Covington)	Self
Bassett	Gilmer	Lee	Sessions
Bevill	Glass	Locke	Shumate
Boyd	Coldthwaite	Long (Perry)	Smith (Russell)
Britton	Gordon	McClendon (Chambers)	Smith (St. Clair)
Cabiness	Grant	McLendon (Bullock)	Solomon
Camp	Gross	Merrill	Steagall
Cates	Grouby	Nettles	Sullivan
Cook	Guthrie	Nichols	Taylor
Copeland	Hain	Oakley	Thomas
Cornett	Hanby	Perry	Torbert
Daniel	Harris	Phillips	Turner
Dickson	Harvey	Pierce	Vickers
Dunn	Hearn		

Mr. Engel offered the following amendment to the bill, H. 203, as amended:

(1) Amend the title to the substitute bill as follows:

To implement the provisions of that certain Constitutional Amendment that was proposed by Act No. 151 adopted at the 1957 Regular Session of the Legislature of Alabama and that authorizes the State to engage in works of internal improvements by promoting, developing, constructing, maintaining and operating along navigable streams and waterways of Alabama all manner of docks and facilities of every kind, in aid of commerce and use of waterways of the State, and to incur indebtedness and issue bonds for said purpose; to authorize the State to engage in such works of internal improvement at an additional cost of not exceeding \$1,500,000; to designate the Alabama State Docks Department and any department or agency of the State that may succeed to its functions as the Agency to undertake, manage, operate and control such developments and improvements; to prescribe the powers, duties and authority of said Department in connection therewith; to authorize the State to become indebted to the extent of not exceeding \$1,500,000 in principal amount to carry out the provisions of this Act and to issue its interest bearing direct general obligation bonds therefor; to prescribe in general the terms of such bonds and the method and manner of the sale and issuance thereof; to exempt the same and the interest thereon from taxation; to provide for the payment for any indebtedness evidenced by bonds issued pursuant to this Act and to pledge the full faith and credit of the State to the payment of such indebtedness; to provide for the refunding of any bonds issued under the said Constitutional Amendment; to provide for investment of the proceeds of any bonds issued hereunder and other funds received under this Act, pending the need for such funds; to provide for the use of funds obtained from the operation of improvements constructed with proceeds of any bonds issued under the provisions of said Constitutional Amendment; to make appropriation for payment of the principal of and interest on bonds issued under the said Constitutional Amendment from the General Fund of the State; to provide for the acquisition of property for the purposes of this Act and for the exercise of the power of eminent domain with regard thereto; to prescribe the powers and duties of the Governor, the said Department and other officers of the State in carrying out the provisions of this Act; to authorize the said Department to fix and collect reasonable rates and charges for services rendered by, and for use of, facilities established pursuant to this Act; and to require the maintenance of records of the total cost of, the gross revenues from, and the expenses of operating, each unit of development acquired, constructed, or operated pursuant to the provisions of this Act or Act No. 311 adopted at the 1957 Regular Session of the Legislature or Act No. 98 adopted at the 1959 Regular Session of the Legislature; and to provide that surplus revenues derived from operation of the state docks facilities at the Port of Mobile may be used to meet operating deficits of the facilities constructed under said Constitutional Amendment.

(2) Amend Section 1 of the substitute bill by adding to the said Section 1, immediately following the word "compresses" in the fifth sentence of said Section 1, the following:

"storm haven facilities for all types of watercraft, channels between navigable waterways of the State for the purpose of connecting such waterways and aiding the use thereof."

(2) (a) Further amend Section 1 of the substitute bill by adding to the said Section 1, immediately preceding the last sentence of the said Section 1, the following:

"Fiscal Year" means the fiscal year of the department.

"Inland waterways facilities" means all dock facilities at any time acquired or constructed pursuant to the provisions of the 1957 Docks Amendment.

"Operating deficit of the inland waterways facilities" means the sum, if any there be, by which the gross revenues derived from the operation of the inland waterways facilities during any fiscal year may be exceeded by the total of all expenses, excluding any deductions for depreciation, incurred during the same fiscal year in the operation of the inland waterways facilities and in the maintenance thereof in good operating condition.

"Port of Mobile facilities" means the facilities of all kinds known as the state docks owned by the state and operated by the department at the Port of Mobile.

"Surplus revenues of the Port of Mobile facilities" means the gross revenues derived from the operation of the Port of Mobile facilities remaining at the end of any fiscal year after there shall have been deducted therefrom all expenses (excluding any deductions for depreciation), incurred during the same fiscal year in the operation of the Port of Mobile facilities and the maintenance thereof in good operating condition, and all payments required to be made during such fiscal year in order to comply with (a) sinking fund requirements for the Alabama Harbor Improvement Bonds at the time outstanding which were heretofore issued by the state for the development of the Port of Mobile facilities, (b) the obligations and agreements on the part of the department under any lease agreement at the time in effect which may have theretofore been made by the department for the rental of facilities located or for use at the Port of Mobile, and (c) the obligations and agreements on the part of the department which may have been made in any order of the department providing for the issuance of any revenue bonds at the time outstanding and which were theretofore issued by the department with respect to the Port of Mobile facilities."

(3) Amend Section 10 as follows:

Add immediately following the words "bonds" in the first sentence of the said Section 10 the following:

"(other than refunding bonds)"

Substitute for the last sentence of Section 10 the following:

The cost of acquiring any dock facilities that may be acquired with the proceeds of bonds issued under this act shall be deemed to include, inter alia, (a) fees of engineers and attorneys and other expenses incidental to such acquisition; and (b) the cost of issuing those of the bonds that may be issued to provide funds for such acquisition. The proceeds derived from the sale of any refunding bonds issued hereunder shall be used only as provided in Section 12A of this Act.

(4) Amend the substitute bill by substituting for Sections 11 and 12 the following:

"Section 11. Appropriation for Payment of Principal and Interest. There is hereby appropriated for the payment of the principal of and in-

terest on any bonds issued hereunder under the 1957 Docks Act or under the 1959 Docks Act so much as may be necessary for that purpose of any moneys in the General Fund of the state not otherwise appropriated."

"Section 12. Application of Revenues from Inland Waterways Facilities. The gross revenues derived from the operation of each unit of development comprising a part of the inland waterways facilities shall be applied for the following purposes in the following order: (a) payment of the expenses of operating and maintaining in good operating condition the unit of development from which such revenues are derived; and (b) payment of the expenses of operating and maintaining in good condition any other unit of development or units of development comprising a part of the inland waterways facilities. Whenever the gross revenues received by the department from the inland waterways facilities during a fiscal year shall be greater than the expenses of operating and maintaining in good operating condition the inland waterways system during that fiscal year, then the revenues from the inland waterways system remaining at the end of that fiscal year after compliance with the first sentence of this section shall be applied for that one or more or all of the following purposes that may be designated by the department, the sums to be so applied to be in such amounts and to be applied in such manner as the department may designate: (1) retention of such amounts, for use as working capital for the inland waterways facilities as the department may determine to be reasonably necessary for such purpose; (2) payment of the cost of capital improvements and additions to the inland waterways facilities; and (3) payment at their respective maturities of the principal of or interest on any bonds theretofore issued and at the time outstanding under the 1957 Docks Amendment; provided, however, that the revenues from the operation of any unit of development the acquisition or construction of which was financed wholly or in part with bonds issued under the 1957 Docks Act shall, to such extent as may be required by the provisions of the 1957 Docks Act, be applied for payment at their respective maturities of those bonds issued under the 1957 Docks Act for payments into the sinking fund created in that act, and the revenues from the operation of any unit of development the acquisition or construction of which was financed wholly or in part with bonds issued under the 1959 Docks Act shall, to such extent as may be required by the provisions of the 1959 Docks Act, be applied for payment at their respective maturities of the principal of and the interest on those bonds issued under the 1959 Docks Act and for payments into the sinking fund created in that Act.

"Section 12A. Refunding Bonds and Investments. The state may at any time and from time to time issue refunding bonds for the purpose of refunding the principal of and the interest on any matured or unmatured bonds of the state then outstanding which were theretofore issued under any one or more of this act, or the 1957 Docks Act, or the 1959 Docks Act. The proceeds derived from the sale of such refunding bonds shall be paid to the State Treasurer and disbursed on order or resolution of the department solely to refund and retire those bonds for the refunding of which such refunding bonds are authorized to be issued, and to pay the expenses incurred in such refunding; provided, that pending the time such refunding can be consummated such proceeds may be invested as herein authorized. All provisions of this act pertaining to bonds issued under this act that are not inconsistent with the provisions of this section shall, to the extent applicable, also apply to the refunding bonds issued hereunder. The principal proceeds from the sale of any bonds issued hereunder, when not needed for the purposes for which such bonds were issued, and any other moneys received hereunder, when not needed for the purposes for which such moneys may be used, may at the discretion of the Director, with the ap-

proval of the Governor, be invested in direct general obligations of the United States of America and the earnings on any investment so made shall be used in the same manner that the moneys so invested are herein provided to be used."

(5) Amend the said substitute bill by adding thereto immediately following Section 13 of the following:

"Section 13A. Use of Surplus Revenues of Port of Mobile Facilities to Pay Operating Deficit of Inland Waterways Facilities. If it shall be determined by the department at the end of any fiscal year that there are surplus revenues of the Port of Mobile facilities with respect to that fiscal year and an operating deficit of the inland waterways facilities with respect to that fiscal year, then any such surplus revenues may, to such extent as may be directed by the department, be used to meet any such operating deficit."

And the amendment was adopted.

Yeas 71; Nays 3.

Yeas:

Mr. Speaker	Dodd	Ingram	Phillips
Adams	Dunn	Jenkins	Pierce
Avery	Engel	Johnson (Hardaway)	Powell
Bailey	Ferguson	Johnson (J. T. Tom)	Pruitt
Barnett	Franklin	Johnston (Leonard)	Roberts
Bevill	Gilchrist	Jones (Covington)	Rozelle
Bishop	Gilmer	Lee	Sessions
Boyd	Glass	Locke	Smith (Russell)
Brannan	Goldthwaite	McClendon (Chambers)	Smith (St. Clair)
Branyon	Gordon	McCorquodale	Speaks
Britton	Grant	McLendon (Bullock)	Steagall
Callahan	Gross	Martin	Sullivan
Camp	Grouby	Merrill	Taylor
Casey	Guthrie	Murphy	Thomas
Cook	Hain	Nettles	Torbert
Copeland	Hanby	Nichols	Turner
Cornett	Harvey	Oakley	Turnham
Daniel	Hearn	Perry	

—71

Nays:

Messrs.	Cabiness	Long (Lauderdale)	Shumate
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—3

And said bill, H. 203, as thus amended, was read a third time at length and passed.

Yeas 75; Nays 3.

Yeas:

Mr. Speaker	Bassett	Brannan	Camp
Adams	Bevill	Branyon	Casey
Avery	Bishop	Britton	Cates
Barnett	Boyd	Callahan	Cook

Copeland	Grouby	McLendon (Bullock)	Self
Cornett	Cuthrie	Martin	Sessions
Daniel	Hain	Meade	Shumate
Dodd	Hanby	Merrill	Smith (Russell)
Dunn	Harris	Murphy	Smith (St. Clair)
Engel	Harvey	Nettles	Speaks
Ferguson	Hearn	Nichols	Steagall
Franklin	Ingram	Oakley	Sullivan
Gilchrist	Jenkins	Oden	Taylor
Gilmer	Johnson (Hardaway)	Perry	Thomas
Glass	Johnson (J. T. Tom)	Phillips	Torbert
Goldthwaite	Lee	Pierce	Turner
Gordon	Locke	Powell	Turnham
Grant	McClendon (Chambers)	Pruitt	Vickers
Gross	McCorquodale	Rozelle	

—75

Nays:

Messrs. Cabiness Jones (Covington) Long (Lauderdale)

—3

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Bailey to suspend the rules in order to introduce a bill out of order was adopted.

INTRODUCTION OF BILL

The following bill was introduced, read one time and referred to appropriate standing committee, as follows:

By Messrs. Bailey, Goodwyn, Goldthwaite and Pierce:

H. 1472. Relating to the operation of boards of equalization of all counties having populations of not less than 150,000 nor more than 250,000 according to the most recent federal decennial census.

Local Legislation No. 1.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Roberts to suspend the rules in order to introduce two bills out of order was adopted.

INTRODUCTION OF BILLS

The following bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Roberts:

H. 1473. To regulate further the fees and costs which registers are entitled to in cases wherein divorce, alimony, maintenance or support is sought in the circuit court of all counties having a population of not less than 115,000 nor more than 135,000 inhabitants, according to the 1960 or any subsequent federal decennial census.

Local Legislation No. 1.

By Mr. Roberts:

H. 1474. To fix the supplemental salaries of circuit solicitors in judicial circuits in Alabama composed of one county where the population of such county exceeds 115,000 and is less than 135,000 according to the last preceding or any succeeding federal decennial census to be paid out of the county treasury of such counties.

Local Legislation No. 1.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Franklin to suspend the rules in order to introduce two bills out of order was adopted.

INTRODUCTION OF BILLS

The following bills were introduced severally read one time and referred to appropriate standing committees, as follows:

By Mr. Franklin:

H. 1475. To authorize the county governing body of any county having a population of 10,800 inhabitants or less, according to the 1960 or any subsequent federal decennial census, to provide a clerk-hire allowance for the office of clerk of the circuit court.

Local Legislation No. 1.

By Mr. Franklin:

H. 1476. To provide for the expenses of the county superintendent of education in any county having a population of 10,800 inhabitants or less according to the 1960 or any subsequent federal decennial census; and to provide that the provisions of this act shall be retroactive to July 1, 1961.

Local Legislation No. 1.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Edwards to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 1205, was adopted.

And the bill:

H. 1205. To amend Code of Alabama 1940, Title 29, Section 28, relating to the granting of licenses for the sale of malt or brewed beverages.

Was taken up.

Mr. Broadfoot offered the following amendment to the bill, H. 1205:

AMENDMENT TO H. B. 1205

In Section 1, 2nd paragraph, after the words "rolling stores", add the following sentence: And provided further, a retail dispenser granted licenses

to maintain, operate or conduct more than one place where malt or brewed beverages are sold for consumption on the premises shall pay license fees graduated upon a basis of thirty-three and one-third more for each license above the cost of the last preceding license.

And the amendment was adopted.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Ferguson	Johnston (Leonard)	Pruitt
Albea	Franklin	Lee	Ramey
Avery	Gilchrist	McClendon (Chambers)	Rast
Barnett	Gilmer	McCorquodale	Ray
Bevill	Goldthwaite	McLendon (Bullock)	Rozelle
Bishop	Goodwyn	Martin	Self
Branyon	Gordon	Meade	Sessions
Broadfoot	Grant	Merrill	Shumate
Cabiness	Gross	Murphy	Smith (Russell)
Camp	Grouby	Nettles	Smith (St. Clair)
Casey	Guthrie	Nichols	Solomon
Cook	Hain	Oakley	Speaks
Cornett	Hanby	Oden	Steagall
Daniel	Harvey	Perry	Sullivan
Dodd	Ingram	Phillips	Thomas
Edwards	Jenkins	Pierce	Torbert
Faulk	Johnson (J. T. Tom)	Powell	Turner

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And said bill, H. 1205, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 67; Nays 6.

Yeas:

Mr. Speaker	Franklin	McClendon (Chambers)	Ramey
Adams	Gilchrist	McCorquodale	Rast
Bailey	Gilmer	McLendon (Bullock)	Ray
Barnett	Goldthwaite	Martin	Roberts
Bevill	Goodwyn	Meade	Self
Bishop	Gordon	Merrill	Sessions
Brannan	Grant	Morrow	Shumate
Branyon	Gross	Murphy	Smith (Russell)
Broadfoot	Grouby	Nettles	Smith (St. Clair)
Casey	Guthrie	Nichols	Solomon
Cook	Hain	Oakley	Steagall
Cornett	Harvey	Oden	Sullivan
Daniel	Hearn	Perry	Thomas
Dodd	Ingram	Phillips	Turner
Edwards	Jenkins	Pierce	Turnham
Engel	Johnson (J. T. Tom)	Powell	Vickers
Faulk	Lee	Pruitt	

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Nays:

Messrs.	Cabiness	Ferguson	Speaks
Albea	Copeland	Harris	

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CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bills hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 10:25 A. M. on August 18, 1961

H. 3

H. 566

H. 739

H. 911

H. 965

H. 574

H. 905

H. 926

H. 930

H. 931

H. 997

H. 998

H. 999

H. 1000

H. 1007

H. 1009

H. 1025

H. 1029

H. 1006

H. 1030

H. 745

Delivered to the Governor at 1:50 P. M. on August 18, 1961

H. 1161

Delivered to the Secretary of State at 10:35 A. M. on August 18, 1961

H. 943

H. 948

H. 968

Delivered to the Secretary of State at 1:54 P. M. on August 18, 1961

H. 906

OAKLEY MELTON, JR.,
Clerk.

ADJOURNMENT

On motion of Mr. Johnston (Leonard), the House, in accordance with H. J. R. 90 heretofore adopted, adjourned until Friday, August 25, 1961, at ten o'clock A. M.

Yeas 44; Nays 40.

Yeas:

Messrs.	Edwards	Johnson (J. T. Tom)	Perry
Albea	Ferguson	Johnston (Leonard)	Phillips
Avery	Franklin	Locke	Ramey
Barnett	Grant	McCorquodale	Ray
Bassett	Hanby	Martin	Self
Bishop	Harris	Meade	Sessions
Branyon	Harvey	Merrill	Shumate
Broadfoot	Hearn	Morrow	Solomon
Cabiness	Ingram	Nichols	Speaks
Casey	Jenkins	Oakley	Steagall
Copeland	Johnson (Hardaway)	Oden	Sullivan
Dunn			

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Nays:

Mr. Speaker	Engel	Hain	Rast
Adams	Faulk	Jones (Covington)	Roberts
Bailey	Gilchrist	Lee	Rozelle
Bevill	Gilmer	Long (Lauderdale)	Smith (Russell)
Callahan	Goldthwaite	McLendon (Bullock)	Smith (St. Clair)
Cates	Goodwyn	Murphy	Taylor
Cook	Gordon	Nettles	Thomas
Cornett	Gross	Pierce	Torbert
Daniel	Grouby	Powell	Turner
Dodd	Guthrie	Pruitt	Turnham

—40

